



FEDERAL BUREAU OF INVESTIGATION

SACCO/VANZETTI CASE

PART 10 OF 14

FILE NUMBER : 61-126

SUBJECT Sacco/Vanzetti

FILE NUMBER 61-126

SECTION NUMBER 8

SERIALS 751 - 788 x4

456

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12

Department of Justice

Bureau of Investigation

Box 239, Boston, Mass.



April 14, 1927.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Dear Sir:

Re: SACCO - VANZETTI CASE

Adverting further to past communications concerning news items in relation to the above entitled matter, permit me to attach hereto items appearing in the Boston Post, The Boston Daily Globe and The Boston Herald for April 14th, 1927.

Very truly yours,

John A. Dowd
JOHN A. DOWD

Special Agent in Charge.

JAD:MFD

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/30/82 BY SP-8 JAC

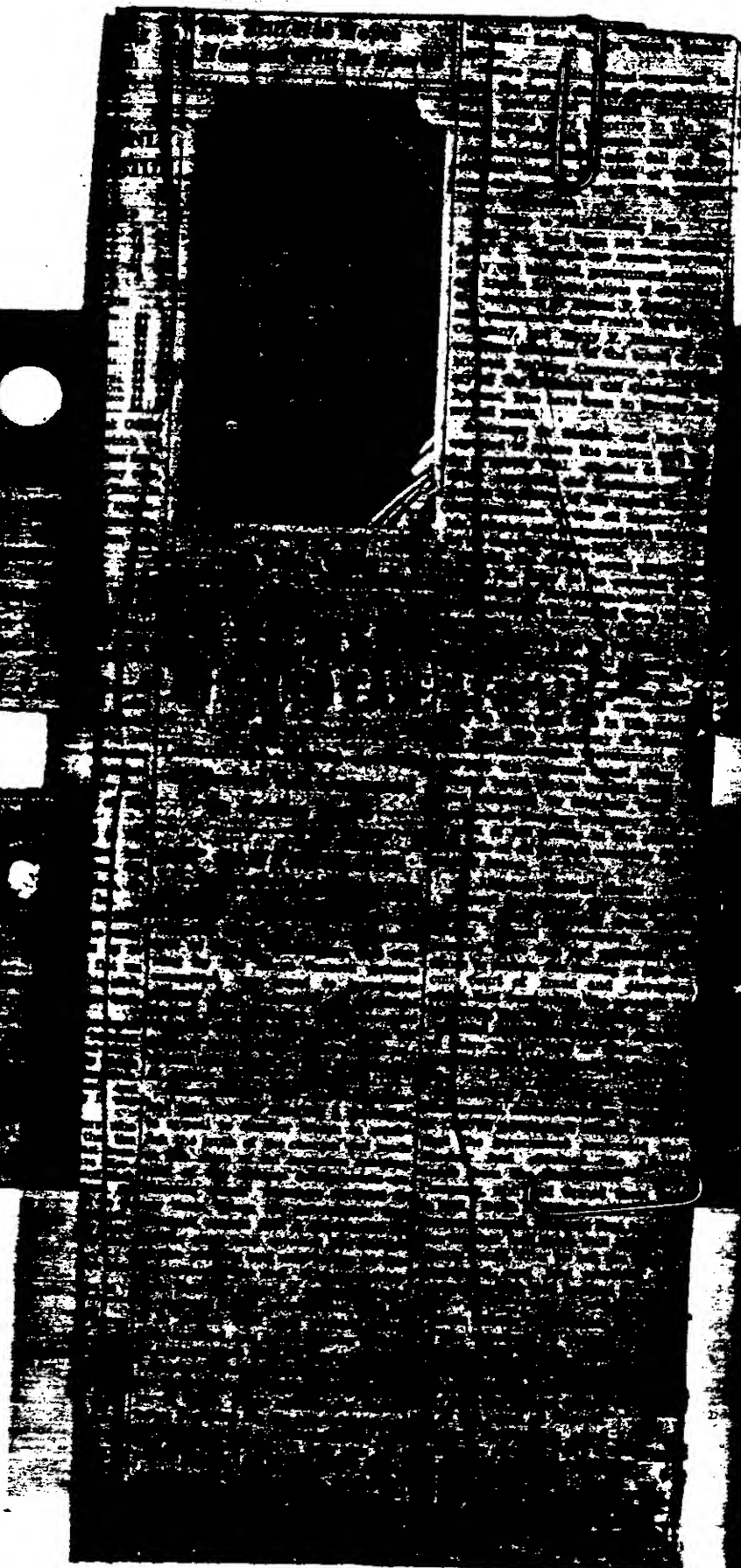
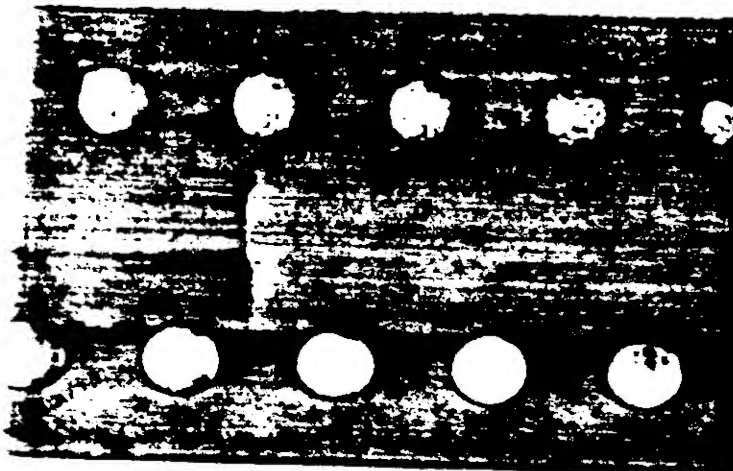
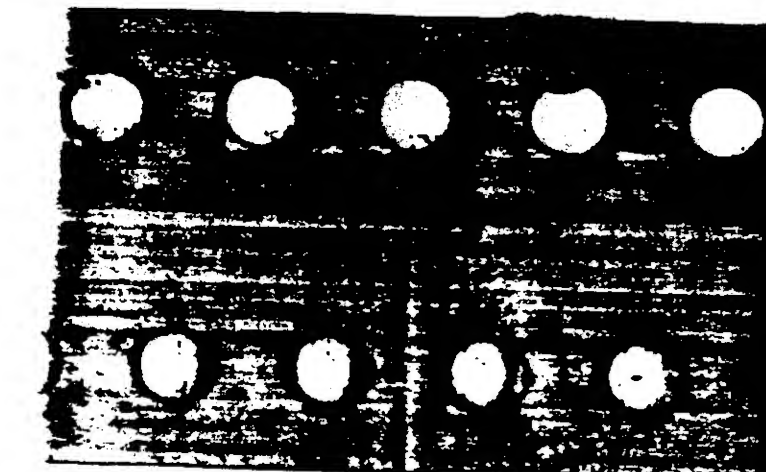
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61-126
JUL 13 1927 RECORDED

N. B. O. M.

The Kuhn
4/20/27

61-126-751	
BUREAU OF INVESTIGATION	
APR 15 1927	
DEPT. OF JUSTICE	FILE



Sacco Committee Appeals to Walsh to Act in Capital

WASHINGTON, Dec. 17.—The Sacco Committee today urged the Senate to act on the Sacco case and to pass the bill for the pardon of the two Italian anarchists.

The bill, however, that he would fight the committee report in the Senate and attempt to overturn it. It is considered extremely doubtful whether he could accomplish this, as a two-thirds vote is necessary in order to limit a motion for consideration to an advisory report from the public-sentences board.

The report of the committee followed pronouncedly in its opinion from the Senate, which, in the effect that the pardon power is not a power of the Governor of the State, but is a power of the President of the United States.

The committee's report, which was made to the Senate by the committee on the Sacco case, was a report on the Sacco case.

"At your request I have examined the Sacco case and have found that the Sacco case is a case of a man who was convicted of a crime and who was sentenced to death."

"The power to pardon is a power of the President of the United States, and it is not a power of the Governor of the State."

"It is obvious that the Governor of the State cannot deprive the President of the power to pardon, nor can the Governor of the State control the power of the President."

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"It is obvious that the Governor of the State cannot deprive the President of the power to pardon, nor can the Governor of the State control the power of the President."

"The power to pardon is a power of the President of the United States, and it is not a power of the Governor of the State."

MINDS MEETING OR SACCU

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HIGH TIDE TODAY AT NAVY YARD

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New Disease "Fiery Feet"

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WILDEY SAVINGS BANK

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The above items in plain and
bold were placed with the
Athenian Herald, Boston
office in the month of August 1911
in the issue of August 11th, 1911
and the following day
the Athenian Herald
the following day

AD 000



COATS FOR MISSES

These shoes are in demand for their softness, lightness, and that is ideal for travel in any climate and which sheds moisture and heat to a remarkable degree. They will not last long here at this price. Now

25

CRAWFORD HOLLIDGE

100-443887-100

St. Louis Daily

MONDAY, APRIL 14, 1937 - EIGHT

FULLER DELAYS ON SACCO CASE

Not to Take It Up at All
Until Legislature Ends

House Committee Rejects Resolution
Authorizing Investigation

The House committee on the Judiciary today rejected a resolution authorizing an investigation into the case of the two Italian-Americans, Alvin Karpis and John Dillinger, who are charged with the murder of United States Senator Charles McNamara.



HOUSE GLOBE CONTENT

The committee's action today was a significant setback for those who had hoped for a prompt investigation into the case of the two Italian-Americans.

**REDS SHOT DOWN
MARCHAL FIGHTING**
Women and Children

THE

Representative Sawyer
the center of the hearing
thereafter the nation of the
on the 14th of July
the State House that the
will be in session on the
14th of July

[illegible][illegible][illegible][illegible][illegible]

The executive committee of the commission
in New York, consisting of
the legal secretary of the
Massachusetts courts by which
panels for a new trial have been
and the chief consideration having
been given either the evidence or the
state.

"Hovea Bailey, Department of Ethnic History, Wellesley College, wrote: 'I am convinced that a new ideal was being the citizens of the State to have an increased respect for our legal justice.'

From Berlin came this cable: "The
New Peace Current, comprising 20
organizations, are expressing com-
munist sympathies and are
working following Mao and the

[illegible][illegible][illegible]

The Department of Justice
Washington a vast host of
from across the country and
representative of the open
the hope of creating a new
national center.

The Department of Justice
has just sent a letter David
Walt asking him to check up on the
subject which has come to the
attention of the Justice Department.

Montgomery Co.
171 TREMONT ST., BOSTON


**EASTER
HATS**

\$3.95

and special occasions in
new 310 and 415 models

ADULT AND CHILD HEAD SIZES

1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Arar and Collins (1971) using a Shimadzu 1601 UV-Visible Spectrophotometer.



to
for
bake
sugar
syrup
tea,
milk,
and
oil

Department of Justice

Bureau of Investigation

P.O.Box 239

Boston, Mass.

PERSONAL AND CONFIDENTIAL

April, 4, 1927.

RECORDED

APR 15 1927

Director,
Bureau of Investigation,
Department of Justice,
Washington, D.C.

61-126-752
BUREAU OF INVESTIGATION
APR 16 1927
Div. One

Dear sir: Re: Sacco and Vanzetti Matter

On this date, April 4th., the writer learned from a confidential source that William G. Thompson, Attorney representing the interests of the above named individuals, had before him on this date, April 4th., a former employee of this Bureau.

During the conversation with this former employee, Mr. Thompson informed him that he had an investigation made of the previous Government employment of Lawrence Leatherman, former special agent of this Bureau, and found from the dates obtained that Mr. Leatherman was apparently in error when he deposed in his affidavit to the effect that while he, Leatherman, was a Post Office inspector he co-operated with the Department of Justice in the investigation of the Sacco-Vanzetti case, because he had left the employ of the Government some years before the case occurred.

Therefore, he, Attorney Thompson recalled Mr. Leatherman to his office and had him correct or amend his previous affidavit by a statement to the effect that after he left the Postal service and while attached to the William J. Burns International Detective Agency, he, Leatherman, knew of the Sacco-Vanzetti case for the reason that the Burns Agency at that time was investigating for A. Mitchell Palmer the Wall Street Bomb Explosion and was also investigating the Sacco-Vanzetti case.

The information on that point was not explicit as to whether both cases were being investigated by that agency at the same time or for whom the Sacco-Vanzetti matter was being investigated.

DECLASSIFIED BY SP-8 BTJ/MA
ON 6/30/82

This former employee told Mr. Thompson that Mr. Leatherman had been discharged from the service of the Post Office Department and the Department of Justice and also that Mr. Fred J. Weyand had been discharged from the Department of Justice. In reference to such discharges, he told Mr. Thompson that Weyand was and had always been a "boot-legger", this being in answer to a question from Mr. Thompson as to whether or not he meant a "commercial boot-legger".

Mr. Thompson stated that he was, in a way, glad to be informed of those facts but in another manner, possibly in view of the affidavits furnished, regretted it very much and did not realize such was the case. Mr. Thompson also stated, in a reply to a statement by the former employee, that he never knew of Weyand doing anything without compensation, that so far as he knew Weyand was not paid for making the affidavit.

Mr. Thompson further stated to the former employee that Mr. Weyand informed him that former District Attorney Katzman used to visit the Boston Bureau office nights and talk over the case, presumably with Mr. West, and that there was considerable correspondence on file passing between the office and Mr. Katzman which would be of evidentiary value to the defense. This, the former employee, stated was not so, namely, that Mr. Katzman did not visit the office and that, so far as he knew, there had been no correspondence.

With reference to former agent Feri F. Weiss, who was employed from April, 1, 1917, to November, 1, 1919, and who died in February, 1927, while in the Immigration service in Chicago, Ill., Mr. Thompson stated that the defense had secured a letter from one John Ruzzamenti addressed him by Weiss inviting him to come to Boston for employment in the Sacco-Vanzetti case by the District Attorney.

Mr. Thompson further stated that some months before his death Mr. Weiss wrote a letter to the Boston Globe, which was never published, in which he, Mr. Weiss, said that he had made arrangements with District Attorney Katzman to place Ruzzamenti in a cell with Sacco for the purpose of securing admissions from Sacco about the crime, but that he, Weiss, was of the opinion that Sacco being a philosophical anarchist would not commit a highway robbery and murder and therefore thought he might establish the innocence of Sacco through the use of Ruzzamenti.

The former employee stated that, of course, he knew nothing about that and that all he knew of the person called Ruzzamenti was that he was a personal friend of Mr. Weyand and called at the Boston Bureau office from time to time seeking employment.

Mr. Thompson also spoke about his efforts to secure access to the files of the Department of Justice in the case, stating that Messrs. Dowd and West had offered to call on him at his office and discuss the matter but that he, Thompson, did not like the idea of meeting the two "Government Detectives" in his office.

Mr. Thompson stated to the former employee of this Bureau whom he called to his office today, that he, Thompson, would like to know, however, just what happened between Mr. Hoover and Attorney-General Sargeant on the case, or what Mr. Hoover said to the Attorney-General as the Attorney General did not permit him to have such access to the files. He also expressed the possibility that Judge Harold P. Williams, formerly U.S. Attorney here, and now Justice of the Massachusetts Superior Court, had some hand in "suppressing the papers". In reply to the latter remark of Mr. Thompson, the former employee said he did not think that was so.

He, Mr. Thompson, also referred to Agent [REDACTED] stating in this respect that Agent West, or the Bureau Office, placed [REDACTED] in a newspaper not of a radical trend and that this was done for the purpose of securing evidence against an employee of that paper who was an anarchist. To this the former employee stated that he could not see why it would be necessary to go to all that trouble to secure such evidence. Actually, the employment was secured by [REDACTED] for his own ends at a time when he was not employed by the Government and was in fact out of any employment and he accepted a position at his usual trade, that of linotypist. L7C

Attorney Thompson also stated that he had had before him former Agent [REDACTED] now employed by the National Association of Creditmen, who left the service about the Fall of 1918 or 1919, as nearly as can be recalled. He claimed that the gist of his statement was that he [REDACTED] was forced to leave the service of the Bureau because he was not active enough against radicals.

He, Mr. Thompson, also stated that when he came into the case as counsel that the case was in a terribly muddled condition, the inference being that its trial had not been of the best, and that of the very large fund collected for the defense of these men all or practically all of the funds had disappeared without any accurate accounting for the same.

Mr. Thompson also stated, I am informed, that Mr. Felix Frankfurter of Harvard Law School, had devoted to the defense fund the proceeds of his article which appeared in the Atlantic Monthly for March, 1927, and was giving to the fund the proceeds of his book on the case, now on sale.

Mr. Thompson also stated, according to the former employee, that not much could be expected from the case now before the Supreme Court of the Commonwealth but that they hoped to have a Congressional investigation of the matter and had interested U.S. Senators Walsh and Wheeler of Montana.

Mr. Thompson also stated to the former employee that he had caused an inquiry to be made concerning the history of Mr. Hoover of Department of Justice and found that Mr. Hoover was a "Florida Democrat" and had attended, as an unofficial delegate, a convention of the Democratic Party.

Of course, I am not able to vouch for the accuracy of the information given me today but am transmitting it to you for your information.

Very truly yours,

John A. Dowd
JOHN A. DOWD.

Jad.

Special Agent in Charge.

JUN 10 '93

61-126-752

RECORDED

April 11, 1927.

61-126

MEMORANDUM FOR THE ATTORNEY GENERAL.

I am attaching hereto a letter which I have just received from the Agent in Charge at Boston, concerning certain developments in the Sacco - Vanzetti matter. It would appear that Mr. Thompson has finally learned of certain unreliable features in the evidence which he presented to the Court. I always was amazed that the character of Letherman and Weyand, upon whose affidavits he predicated much of his criticism of the Department of Justice, was not made public by the District Attorney's Office of Massachusetts.

INVESTIGATION
APR 16 1927

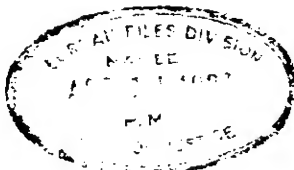
The amusing part of the letter, however, is the inquiry which he has made concerning my history. The pertinency of the same to the Sacco - Vanzetti case is, of course, a puzzle to me. The amusing feature of Mr. Thompson's inquiry is his discovery that I was a "Florida Democrat". Never having been in the State of Florida in my life, I do not understand how I could have acquired that brand of Democracy. His alleged facts concerning me are probably just as reliable as those which he has advanced concerning the connection of the Department of Justice with the Sacco - Vanzetti case.

Respectfully,

Encl.

Director.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/30/82 BY SP-8 BJS/kuc



61-126-753
BUREAU OF INVESTIGATION
APR 16 1927 A.M.
DEPARTMENT OF JUSTICE
FILE

61-806-752

RECORDED
PERSONAL AND
CONFIDENTIAL

APR 13 1927

APR 13 1927

Mr. J. J. Hall,
P. O. Box 207,
Boston, Massachusetts.

61-126

Dear Mr. Hall:

I have at hand your communication of the 4th instant, relative to the Sacco - Vanzetti case, and I would appreciate it if you would confidentially advise me of the identity of your informant. Furthermore, I note that he was a former employee of this Bureau and from the contents of your letter it appears, of course, that he endeavored to correct many erroneous impressions which Mr. William S. Thompson, Attorney for Sacco and Vanzetti has had, based on spreading misinformation which he has obtained from unreliable sources.

I note that when Mr. Thompson learned that Letherman had made false statements in his original affidavit, concerning alleged cooperation between himself and the Department of Justice when he, Letherman, was a Post Office Inspector, Thompson had Letherman amend his previous affidavit. I would like to know whether the amended affidavit was subsequently filed with the Court. I also note that in the amended affidavit he, Letherman, stated that he was attached to the William J. Burns International Detective Agency and obtained information concerning the Sacco - Vanzetti case.

Will you kindly advise me whether there is any information in your office indicating that while Mr. Letherman was connected with the Burns Agency he in any way cooperated with any employees of this Bureau in connection with the Sacco - Vanzetti case. I assume, of course, that he could not have done so since the Bureau apparently took no action in connection with that case, so far as the State was concerned. However, in view of the misstatements in Letherman's first affidavit, it is likely that he has not entirely confined himself to the truth in his amended affidavit. I would like to have a very careful check made of the information in your office to ascertain whether he, at any time, furnished information to the Agents in your office who communicated with them, either directly or indirectly, in the Sacco - Vanzetti case.

U FILES DIVISION
MAILED
25 1927
P.M.
APR 14 1927

DECLASSIFIED BY SP-80TT/WH
ON 6/30/82

I note that Mr. Thompson informed the Bureau that Mr. Weiss had informed him that former Special Agent Weiss had visited the Boston office at night and talked over the case, presumably with Mr. West, and that there was considerable correspondence in this passing between the Boston office and Mr. Thompson. I believe this matter has already been inquired into by your office but I wish that you would again check over the records in your office and inquire of such employees as would have had knowledge of these facts, if they had occurred, whether such statements are true and forward to me a report upon them, in order that it may be made a part of the records of this office.

In regard to the statements concerning former Special Agent Weiss, it would appear that whatever statements were made by Mr. Weiss or whatever action was taken by him must have been after he had left the Bureau of Investigation, for it is stated that Mr. Weiss left the service of the Bureau on November 1, 1919, and the murder, for which Sacco and Vanzetti were convicted, occurred on April 15, 1920.

In regard to the statements concerning Special Agent [REDACTED] I wish that you would forward to me such details concerning the facts in this matter. I would like to have them available in the event any inquiry is subsequently made. b7

Concerning the statement attributed to former Special Agent [REDACTED] I am at a loss to understand the pertinency of that statement to the Sacco - Vanzetti case for, if the statement of Mr. Thompson were true, that [REDACTED] was forced to leave the service because he was not active enough against the radicals, it would, of course, have no pertinency to the matter since his severance from the Bureau occurred several years before Sacco and Vanzetti were arrested.

I have noted with amusement the investigation or inquiry which Mr. Thompson has had made concerning me. The alleged facts which he obtained concerning my past history are just as accurate as those which he has secured concerning the phases of the Sacco - Vanzetti case. I am particularly amused at being branded a "Florida Democrat" since I have never been in the State of Florida in my life.

Very truly yours,

Director.



453

RECORDED

April 20, 1927.

MEMORANDUM FOR MR. LORRIS.

I am transmitting herewith clippings
from various Boston newspapers received in the
Boston Office relative to the SAOCC VANETTI
case.

These are for your information only.

Very truly yours,

Director.

Enc. 61243.

BUREAU FILES DIVISION
MAILED
APR 20 1927
P.M.
DEPT OF JUSTICE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/30/82 BY SP-8 BJS/hc

#54

Department of Justice,
Bureau of Investigation.

P. O. Box 239,
Boston, Mass.

April 6, 1927.

~~PERSONAL~~
~~and~~
CONFIDENTIAL.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Attention Nol.

Dear Sir:

In re: SACCO-VANZETTI MATTER.

With further reference to the above-entitled matter, and in particular concerning the decision handed down by the full bench of the Massachusetts Supreme Court, in this case, I am forwarding attached hereto clippings taken from the Boston, Mass., Post for April 6, 1927, which clippings contain the ruling of the Court and other pertinent information.

You will also find attached copy of editorial taken from the April 6th issue of the same paper, entitled, "The Supreme Court Decision".

Very truly yours,

DECLASSIFIED BY SP-8 AJS/ML
ON 6/30/82

John A. Dowd
JOHN A. DOWD,
Special Agent in Charge.

JAD/d.

Enclosure 1.

RECORDED
61-126-753
BUREAU OF INVESTIGATION
APR 16 1927 P. M.
Div. Two *Chen*

Mr. Lehning
4/20/27
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1 Encl.
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DEPARTMENT OF JUSTICE

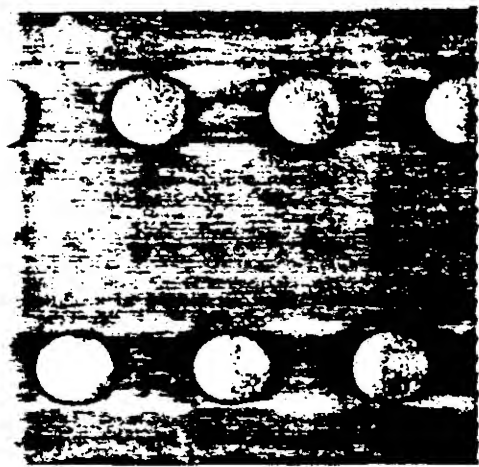
WASHINGTON, D. C.

OFFICIAL BUSINESS

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PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

453



Spring Caps

Rich new patterns and high shades, in finely tailored styles. In smart one-piece and 8 quarter styles. Fully lined. \$1.49.

Cost and 2 pairs of Kablers. Cool tweeds and beautiful tweeds, single and cheviots and castles. Sizes 8 to 17. Cost no more. They come and smartest of patterns.

14.75 \$16.50

a dangerous weapon, even to the possessor, if he knows not how to use it discreetly."—Montaigne.

The Boston Post

EXTRA

Established 1831

WEDNESDAY, APRIL 6, 1927 **

Copyright, 1927, by Post Publishing Co.

TWENTY-SIX PAGES—TWO CENTS

JUSTICES ARE GUARDED AFTER SACCO DECISION

Members of Supreme Court Under Police Protection Following Denial of New Trial to Famous Prisoners—Courthouses Also Watched—Outbreak of Radicals Feared—Edict

Madeiros' Final Chance to Escape Electric Chair Also Seems Gone

Power of Trial Judge Stressed by High Court When Petition Is Denied

ARMED GUARDS AT THE COURTHOUSE

All guards and special officers at Pemberton square court house will be armed today, for the first time since the period following the bomb explosion there just before the United States entered the World war in March, 1917.

All persons entering the building from today on will be closely scrutinized. Those going to the social law library on the fourth floor will have positively to identify themselves and those entering public sessions of the Supreme Court will also have to be positively identified to gain admission. Sheriff Keliher will also have special night locks with chains on the court house doors.

Swiftly following the decision of the full bench of the Supreme Court yesterday afternoon, in which the motion for a new trial for Nicola Sacco and Bartolomeo Vanzetti was denied, the most elaborate preparations for armed guards of public buildings and officials' homes since the war was made by police of Boston and several other Bay State cities to prevent demonstrations or violence by sympathizers of the two men, convicted of murder.

When darkness fell last night the homes of four Supreme Court justices in suburban Boston were under police guard, as was the Union Club, where the other three justices, who live far out of the city, spent the night. The court houses at Pemberton square and Dedham were also placed under police guard. A picked squad of 25 policemen was assigned to guard against outbreaks by Sacco-Vanzetti sympathizers, and Captain Livingston's flying squadron was at headquarters ready to rush to any part of the city with machine and riot guns.

Continued on Page 12

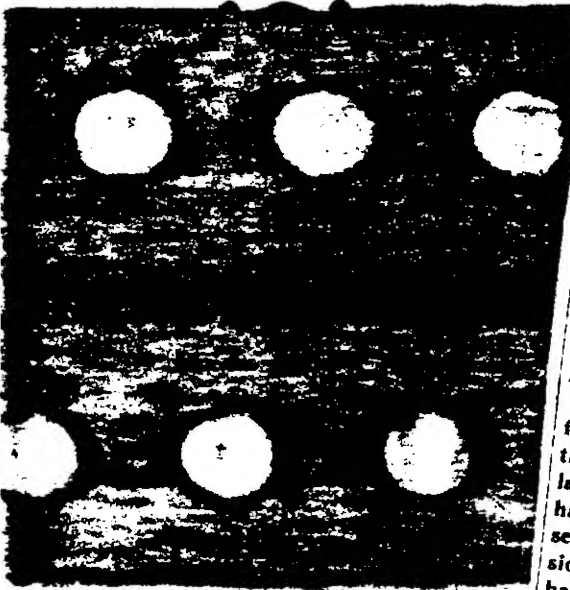
Alex. S.

Protect Your Furs!
Store Them With Us

The scientifically controlled temperature of our cold storage vaults safeguards your furs in every way. Thorough cleansing, without removing the charge, only \$5 additional to storage.

Fur Storage—Liberty 9100

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/30/82 BY 2



Department of Justice

Bureau of Investigation

Box 239, Boston, Mass.

April 7, 1927.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

RE: SACCO - VANZETTI
~~Personal & Confidential.~~

Dear Sir:

In connection with the above entitled matter I am sending attached hereto for your information clippings taken from the Boston, Mass. Post for April 7th, 1927 as well as editorial taken from the Boston, Mass. Herald, issue of April 6th, 1927, entitled "SACCO - VANZETTI".

Very truly yours,

John A. Dowd

JOHN A. DOWD
Special Agent in Charge.

JAD:MFD

DECLASSIFIED BY SP. 987/mc
ON 6/30/82

RECORDED

61-126-754
BUREAU OF INVESTIGATION
APR 16 1927 P. M.
Div. Two

Mr. Luching
4/20/27

12/2/27
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W. C. C.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/26/02 BY SP-10/...

Boston

THURSDAY, APRIL 7, 1921

NATION-WIDE FOR SACCO

Defence Committee Announces Great
Likely to Be Sent Governor—Fried
Hope in Further Court Action—C

SENATE
PASSES
EL BILL

15-Year Public Con-
trol Is Provided in
Measure

COMMON STOCK RATE
CUT TO 5 PER CENT

AXE AND GUN
GREET HER H

Colonel Carrington Says
What Wife Promised
He Ever Came Ho



FOR SACCO

Defence Committee Announces Great
Likely to Be Sent Governor—Frie
Hope in Further Court Action—C

SENATE PASSES EL BILL

15-Year Public Con-
trol Is Provided in
Measure

COMMON STOCK RATE
CUT TO 5 PER CENT

House Hearings to Be
Started by
Tuesday

FULLER ASKS HUGHES TO STUDY L MEASURE

It was reported last night that Governor Fuller had invited Charles Evans Hughes to come to Boston and study any Boston Elevated bill the Legislature may pass. Mr. Hughes will report his decision to the Governor if the invitation is accepted.

BY ROBERT T. BRADY

AXE AND GUN GREET HER H

Colonel Carrington Says
What Wife Promised
He Ever Came Ho



1st

EXTRA

By Post Publishing Co.

TWENTY-FOUR PAGES—TWO CENTS

IDE PLEA PLANNED

Campaign for Clemency—Huge Petition
s of Convicted Radicals See Little
nsel's Action Not Yet Determined

**TO
BBY**

Death Sentence Will Be Given
Saturday Unless Legal Ac-
tion Prevents It

What Is
in if

Vanzetti to Be Returned to
the Dedham Jail Before He
Gets His Sentence

That the only hope left to save DOGS COLE

been in court and at the same time the "Red Star" which they will be

up to late last night. Attorney W. J. Thompson had not made up his mind whether a motion for a retrial would be made on behalf of the two men before the special session today.

Have Not Been Hope

The statement issued by the executive council of the defense committee last night plainly indicated that even this committee, which has fought for the freedom of Sacco and Vanzetti for more than six years now has but slim hope their lives will be spared.

The statement indicates that a most spectacular speaking campaign will be launched with its culmination in a plea for executive clemency for the two men by Governor Fuller. The statement indicates that phases of the case not included in arguments before any court will be introduced in the nation-wide stump fight. The committee in announcing its plans to try to save the men state "Our sole hope now is the public conscience."

Frank Manning, who suddenly appeared in Brighton and became the leader of the band of men and women who formed a clemency committee in an attempt to save the three carmen hanged from the electric chair, appeared in Boston again yesterday following the Supreme Court decision on the Sacco-Vanzetti case. A Post reporter found Manning in conference at the defense committee headquarters, 36 Hanover street, yesterday afternoon, and he was present last night at the private meeting held there, from which reporters were excluded.

Judges' Homes Guarded

Yesterday police guards were maintained at the homes of judges and other public officials who have been connected with the case and at the court houses in Dedham and Pemberton square. The picket squad of 25 men of the Boston police department assigned following the decision to watch public buildings will be maintained.

It is believed that the guards will be kept on duty until after May 1. The first day of May is recognized as the holiday of radicals throughout the country. In Boston on that date in 1919 the home of Judge Hayden in Roxbury was bombed. Between now and May Day several important matters in connection with the Sacco-Vanzetti case and the battle to save them will occur. These include the expiration of the respite from death in the electric chair of Celestino Madeiros. This expires on April 27. Unless it is extended by Governor Fuller, he will die in the chair before May Day. The alleged confession of Madeiros that members of his gang, not Sacco and Vanzetti, killed the two men at Braintree was the basis of the petition just turned down by the Supreme Court. Madeiros is under sentence for killing a Wrentham bank cashier.

Big Guard for Dedham

Sacco and Vanzetti will undoubtedly be sentenced to die before May 1. Dedham courthouse will be guarded as never before on Saturday. State troopers, detectives, town police, department of justice officials and armored cars will be brought into use on that day. Vanzetti will be taken from his cell in the Cherry Hill section of Charlestown prison under the heaviest guard that has ever escorted a prisoner from there and brought to Dedham to stand side by side with Sacco in the prisoner's cage and hear the sentence of death pronounced. Sacco will be brought a short distance from Dedham jail.

When sentence is pronounced Vanzetti will again become a prisoner in Dedham jail. He is now serving a 12-to-15-year sentence in prison for an

attempt at a "Munichian" and while the executive council of the defense committee has not yet decided whether they will appeal the Supreme Court decision, they have not yet decided whether they will appeal the Supreme Court decision.

Following is the statement in full, issued at the Sacco-Vanzetti defense committee headquarters last night after the first meeting of the executive committee since the decision of the Supreme Court against the two men.

"Fate Not Shaken"

"The faith of the Sacco-Vanzetti Defense Committee in the innocence of Nicola Sacco and Bartolomeo Vanzetti is not shaken. Our hope of the Supreme Court of Massachusetts was vain. We have knocked upon every court door provided by the legal procedure of this State. None has been opened. Our cause has been valiantly championed by William G. Thompson, a lawyer of the highest ability and repute. His arguments have awakened a portion of the public to the grave issues at stake in this case. They have not feared the court.

"But Sacco and Vanzetti are still alive. The days separating them from the electric chair are numbered. The State has won this case. Even upon the court doors closed against us we may yet prevent this terrible tragedy. Our sole hope now is the public conscience.

"Travesty of Justice"

"Heretofore we have guided our desire to get into the highways to proclaim this horrible travesty of justice victimizing Sacco and Vanzetti. We trusted the legal machinery.

"Now we will go to the public, fired by our conviction that if the true history of this case is generally known the public will not permit the legalized murder of these two men. We will immediately organize public meetings throughout the country at which speakers thoroughly familiar with the case will present it.

"We ask the co-operation of the public in this last desperate move to save two innocent men and to save Massachusetts from a world-wide shame. As long as life remains in Sacco and Vanzetti we will fight for them."

"Too Bad," Says Vanzetti

Deputy Warden James Hogsett yesterday broke the news to Vanzetti that the Supreme Court had decided against him and Sacco. The prisoner took it with stolid calmness. "Too bad," was all he said about the decision and then went on to extend his thanks to Warden Hendry and to Deputy Hogsett for the treatment he has received while a prisoner. He will do no more work in the automobile plate shop, but will spend his time until Saturday in Cherry Hill section where "Jerry the Pole" Geddis and Madeiros are prisoner's office. He expressed surprise, but murder.

Sacco heard the news from a messenger sent out from Attorney Thompson's office. He expressed surprise, but made little comment. An extra guard has been placed close to the cells of both men.

Last night Attorney Thompson visited Vanzetti at prison and spent a half an hour alone in the prisoner's company. The attorney refused to issue any statement after his visit. He did not visit Madeiros.

Three Courses Open

Extra guards were placed about the State House yesterday.

There are three ways now open for a possible delay on the execution of Sacco and Vanzetti. One is a motion for a re-hearing by the State Supreme Court, second is a review of the case on points of constitutional law by the United States Supreme Court and the third is executive intervention by Governor Fuller. While it is quite likely all three ways will be tried the main battle will be before the Governor.

from Hanover, as distance now
and spending nearly all his time
farther away than low. He had
never been his college town, as the
time that he carried off his degree.
Apparently prosperous, bearing a
well-to-do family, greatly interested
in the college and particularly proud
of William J. Tucker, as one of his
classmates, Gluckman never made any
recognizable effort to revisit its fa-
miliar scenes. Nor is his case alto-
gether unusual. Every college, and
probably every class, has a man who
may be as devoted to the institution
and to his associates as any of the
rest, but for something in his own
mental make-up, exhibits an aversion
for coming back to reunions, or for
visiting the old places. It may be that
he has stayed away until so many
of his classmates have gone, that it
is sad for him to witness reminders
of the irretrievable past. Perhaps
the very sensation of change, or
what he perceives he will see of
change, prevents his risking an ex-
perience which would be, to him, dis-
heartening.

At all events, it is a curious state
of mind into which the occasional
fellow falls, known in every college
as "the man who never comes back."

There is comfort in reflecting that
Moscow is nearer to London than to
the Russo-Chinese boundary.

Sacco-Vanzetti

The supreme court of the common-
wealth has spoken. As we understand
the situation, that court, long and
justly honored of our people, has
ruled on the legal processes involved
in the trial and the succession of ap-
peals in the case of Sacco and Van-
zetti. The court has expressed no
opinion on the guilt or the innocence
of the convicted men. Our supreme
court is not such a court of criminal
appeal as exists in the legal machin-
ery of some states. No reversible
error is found in the conduct of the
case or in the rulings on appeal of
the judge who presided at the trial.

These things being true we find
in the decision of the court no reason
to change the judgment expressed on
this page last October—"In our
opinion Nicola Sacco and Bartolomeo
Vanzetti ought not to be executed
on the warrant of the verdict re-
turned by a jury on July 14, 1921."
We submit anew that reason still
abides for doubt on that question.
We trust that ways still shall be
found for such a review as shall re-
solve the doubt, no matter what the
resolution may be, whether for the
innocence or for the guilt of the men
who were tried at Dedham six years
ago.

One of those men, possibly both
of them, is eager for what he
considers "martyrdom" in behalf of
his "cause." We have no interest
in that "cause." But there are large
numbers of persons who hold the

opportunity after her. We want
to do business with China and we want
these transactions to result in pro-
fit for both parties. The policy of
Open Door has always been found
profitable in our relations with China
and that policy was kept in view
through the negotiations at Wash-
ington.

But are the lives and property
foreigners now safe in China?
Not, what does the situation requi-
re of the United States? To how great
a degree ought our forces to be em-
ployed in conjunction with those
of England and France in the protection
of life and property? If the United
States shall see her marines in con-
nection with the forces of Great
Britain will this country thereby
open to the charge of having used
her arms to keep for England her
position of arbiter of the destinies
of the Yangtze valley? The theory
of the Washington agreements is that
the powers shall confer together
respecting Chinese questions.
Joint action be now undertaken.
Joint representations be now made
under such conditions as are de-
scribed in the news dispatches, and
we open to the charge of pulling
chestnuts out of the fire for En-
gland? We have no intention of
grabbing anything in China. The
only question at issue is whether we
should act by ourselves or joint
with the other powers. The Shan-
hai Chamber of Commerce ask for
"concerted action." . . . to recover
all foreign properties." They are
the spot and they have experienced
back of them. It may be that we
shall have in the East what we had
a few years ago in France, acting
by the Allied and Associated Pow-
ers.

Rain always fulfils sufficient
persistent prophecy.

Epochs

Whenever the multi-colored pat-
terns arrange themselves in a new
pattern in the great tube of human
life we have what the historians call
a new epoch in world affairs. Dr-
matic events usually mark the merg-
ing of one epoch into another.
1815 Waterloo was fought, the map
of Europe is unrolled, and the pow-
ers strive to put all things back
where they had been when the "u-
start from Corsica" began his da-
zling career, and Bonaparte stands
on the deck of a British ship gaz-
ing at the receding shores of France.
The new epoch lasted until 1870;
ended when the Hall of Mirrors at
Versailles the King of Prussia was
hailed as German Emperor. At
that epoch, marked conspicuously by
the rise of Germany to power, ended
on a night in August, 1914, when
the stroke of the clock the watches
in Downing street hurry their me-
sages all over the world that En-

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PLANNED

Campaign for Clemency—Huge Petition
of Convicted Radicals See Little
Chances of Counsel's Action Not Yet Determined

TO
BBY

Death Sentence Will Be Given
Saturday Unless Legal Ac-
tion Prevents It

That Is
in If

Vanzetti to Be Returned to
the Dedham Jail Before He
Gets His Sentence

That the only hope left to save
Nicola Sacco and Bartolomeo Van-
zetti from death in the electric chair
at State prison is executive clemency
and that all hope of any court action
saving their lives is futile was indi-
cated in a statement issued late last
night by the executive council of
the Sacco-Vanzetti defence commit-
tee following a meeting at which the
Supreme Court decision against a
new trial for the men was discussed.

A campaign which will be centred
in Massachusetts and extended
throughout the country in which
scores of speakers will discuss the
case is the next move planned by the
committee in an attempt to save the
two men from execution. An at-
tempt will be made to get names for
a huge petition to the Governor.

Continued on Page 10—Seventh Col.

DOG'S GOLF
ETIQUETTE
DEFENSE

Superior to That
Many Humans, Say
Prof. Phelps

NEW HAVEN, Conn., April 10 (AP)—Yale men who know Pro-

Nation-Wide Plan for Radicals Now Planned

Continued From First Page

On Saturday Sacco and Vanzetti will be brought before Judge Webster Thayer in a special session of the Superior Court, and Assistant District Attorney Dudley P. Hanney will move that the death sentence be passed on both men, convicted by a jury for the murder of a paymaster and his guard at South Braintree seven years ago.

Unless a motion is allowed to have the full bench of the Supreme Court grant a re-hearing on their decision of yesterday Judge Thayer will entertain the motion of the Norfolk county prosecuting officer and will sentence both men to death and at the same time set the week during which they will be executed.

Up to late last night Attorney William G. Thompson had not made up his mind whether a motion for a re-hearing would be made on behalf of the two men before the special session, Saturday.

Have But Slim Hope

The statement issued by the executive council of the defence committee last night plainly indicated that even this committee which has fought for the freedom of Sacco and Vanzetti for more than six years now has but slim hope their lives will be spared.

The statement indicates that a most spectacular speaking campaign will be launched with its culmination in a plea for executive clemency for the two men by Governor Fuller. The statement indicates that phases of the case not included in arguments before any court will be introduced in the nation-wide stump fight. The committee in announcing its plans to try to save the men state "Our sole hope now is the public conscience."

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It is believed that the guards will be kept on duty until after May 1. The first day of May is recognized as the holiday of radicals throughout the country. In Boston on that date in 1913 the home of Judge Hayden in Roxbury was bombed. Between now and May Day several important matters in connection with the Sacco-Vanzetti case and the battle to save them will occur. These include the expiration of the respite from death in the electric chair of Celestino Madeiros. This expires on April 27. Unless it is extended by Governor Fuller, he will die in the chair before May

is Plymouth. He will not be returned to prison again until 10 days before the date set for his execution. Sacco will then go to prison with him. Both will go to cells in the death house. Sacco has never been in prison.

Police at Defence Headquarters

Last night Captain McConnell of the Hanover street police station had a detail of uniformed policemen before the building at 56 Hanover street, where on the third floor in two back rooms the defence committee maintains headquarters. There was no attempt at a demonstration, and while the executive council planned for the last final drive for the two prisoners' liberty, scarcely a sound could be heard as near as the floor below.

Following is the statement in full issued at the Sacco-Vanzetti defence committee headquarters last night, after the first meeting of the executive committee since the decision of the Supreme Court against the two men:

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"But Sacco and Vanzetti are still alive. The days separating them from the electric chair are numbered. In there are still days. Even with all court doors closed against us we may yet prevent this terrible tragedy. Our sole hope now is the public conscience.

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"Too Bad," Says Vanzetti

Deputy Warden James Hogsett yesterday broke the news to Vanzetti that the Supreme Court had decided against him and Sacco. The prisoner took with stolid calmness. "Too bad," he said about the decision and then went on to extend his thanks to Warden Hendry and to Deputy Hogsett for the treatment he has received while prisoner. He will do no more work in the automobile plate shop, but

THE BOSTON HERALD

WEDNESDAY, APRIL 6, 1921

Published every day except Sunday at 101
 North Street, Boston, by Boston Herald
 Company.

Printed at the Boston (Mass.) Postoffice
 at Second-class matter. Address all com-
 munications to The Boston Herald, 101
 North Street, Boston, Mass. Second-class
 postage paid at Boston, Mass., by
 Publishing Company.

Subscription by Mail, Postpaid

	One Year	Six Months	One Month
DAILY	\$12.00	\$6.50	\$2.25
SUNDAY	\$3.00	\$1.75	.50

One cent extra per copy in Boston post-
 office.

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 to the use for publication of all news dis-
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Passengers from Boston to New
 York may now proceed by the old
 way, the shore line, or the sky line.

Chicago's Election

The expected has happened. Wil-
 liam Hale Thompson returns to of-
 fice as mayor of Chicago. A worse
 election could not have been made.
 Thompson's opponents were of the

same view of the economic and gov-
 ernmental institutions of today as
 do Bacco and Vanzetti, and it is un-
 fortunate that they are really ham-
 pering the interests of the men in
 whose names they invoke action. The
 persons who write threats and hom-
 eless embassies and denounce "the
 capitalistic system" are not friends
 really of Bacco and Vanzetti; on the
 contrary, they are prejudicing the
 minds of great numbers of fair-
 minded people who want righteous-
 ness to be done.

The full text of the court's deci-
 sion should be read with exact care,
 and it may well be remembered that
 such an episode as that of the ques-
 tion about the "mortal bullet" and
 the Proctor affidavit does not have
 any consideration in the conclusion
 now announced by the court.

The better event to celebrate with
 decennial formalities is not
 entry into the world war ten years
 ago today but Armistice day, Nov.
 11, next year.

The Appeal from Shanghai

On Sunday the American Cham-
 ber of Commerce at Shanghai issued
 a striking statement in which condi-
 tions in that city were pictured at
 the least as extremely serious and
 at the most as desperate; the lan-
 guage is susceptible of both inter-
 pretations. The document ended
 with this strong paragraph:

"In our opinion, the future peace
 of the world and the general welfare
 of the Chinese people will be best
 served by the maintenance of the
 alignment of the powers established
 under the Washington treaties and
 their corporation in the service
 pledged to China during the Wash-
 ington conference."

The "Washington conference"
 was the conference for limitation
 of armament which resulted in the

#52

ALL INFORMATION CONTAINED
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DATE 6/30/92 BY SP-805/mc

Department of Justice
Bureau of Investigation
Boston, Mass.

RECORDED

~~PERSONAL AND CONFIDENTIAL~~

DECLASSIFIED BY SP-805/mc
ON 6/30/92
My dear Mr. Hoover,

AUG 13 1927

61-126-754	
BUREAU OF INVESTIGATION	
April 19 1927	
AUG 12 1927	
Div. One	FILE

Permit me to acknowledge receipt of your communication of the 14th instant, replying to my letter to you under date of the 4th instant, relative to the so-called Sacco-Vanzetti case.

My informant who supplied the information contained in my letter of the 4th, was Mr. John B. Hanrahan, whom you will recall as a former Agent and Agent in Charge of this office. Mr. Hanrahan, you will possibly remember, came into the Bureau as an employee sometime in 1917, was for a time in 1919-1920 an assistant division superintendent under Division Superintendent George E. Kelleher, and in the summer or early Fall of 1920 when Mr. Kelleher was in Alaska and a change was made in the territorial lines of the office -- and Boston was placed under the New York City division -- was made Agent in Charge at Boston, which position he held until relieved by Mr. Charles Bancroft on or about October 1, 1921.

[REDACTED]

Upon one or two prior occasions he reported that he had been interviewed by Mr. William G. Thompson, counsel for Sacco and Vanzetti, but had not furnished any affidavit. Upon the last occasion he advised that his present employer, who is acquainted with Mr. Thompson, advised him to see Mr. Thompson again, with the results reported in my letter to you.

With reference to the amended affidavit of Mr. Lawrence Letherman, I believe I can state without contradiction that such amendment was not made up to the time of the hearing of the motion for a new trial before Justice Webster Thayer of the Superior Court of Norfolk County. As all of those papers then went to the Supreme Court of the State on exceptions, I assume that the amended affidavit was not amongst them, as the unamended affidavit was the one which was featured, and I assume that later when Mr. Thompson found out that Mr. Letherman's statements did not coincide with records of his Governmental service he took steps to amend the affidavit. However, I shall make inquiry concerning the amended affidavit in order to secure the exact facts with reference to the same.

Turning to that part of the statement relating to Mr. Letherman obtaining information relative to the Sacco-Vanzetti case while he was attached to the William J. Burns International Detective Agency, I invite your attention to the fact that our files indicate

b7c
that investigation of the activities of the Sacco-Vanzetti Defense Committee did not commence until at least late in the Summer of 1920 or early in the Fall of that year; while a view of the investigation of the application of Mr. Letherman for appointment as an Agent of this Bureau (See report of Agent [REDACTED] for Sept. 23, 1921, in re Lawrence Letherman) appears to indicate that after his resignation from the Post Office Inspection Service "he went with the W. J. Burns Detective Agency, and was employed by that agency for four years as manager at Boston; that since leaving the Burns Agency he has been connected with Otis & Co., Boston, in the bonding business". The same report contains a statement from Mr. Gordon Sawyer, of Otis & Co., 45 Milk street, Boston, to the effect that Mr. Letherman had been employed by them for about a year.

b7d
I have caused a search to be made of the voluminous files relating to this case and the only reference found therein to [REDACTED] that contained in the two following letters:-

(a) Letter dated December 7, 1920, from T. M. Reddy, Special Agent in Charge, New York City office, to J. B. Hanrahan, Boston office, reading:-

"Information has been received to the effect that Sacco and Vanzetti are communicating with their attorney through [REDACTED]

b7c
b7d
"My informant in this case, [REDACTED]

states that he is of the belief that the room occupied is directly over an office occupied by this Bureau.

[REDACTED] advised that he had received information to the effect that the top floor of 374 Harrison Avenue, Boston, is used as a storage place for radical literature, and that the usual procedure is for a person desiring to secure this literature, to go to these rooms, which he can enter by using the key which is to be found over the door.

"This information is sent to you for such action as is deemed warranted."

(b) Letter dated December 14, 1920, from J. B. Hanrahan, Special Agent in Charge, Boston, Mass., to T. M. Reddy, Special Agent in Charge, New York, N.Y., reading:-

"Acknowledgment is hereby made of the receipt of your letter of the 7th instant, containing information to the effect that the anarchists Sacco and Vanzetti are communicating with their counsel through one [REDACTED]

b7c

b7c
[redacted] in which building is located the office of the Special Agent in Charge, and also advising relative to the meeting place of the I.W.W. at 374 Harrison Avenue, this city.

"You are respectfully advised that some days ago [redacted] in this city, came to the office with envelopes he had collected from the waste baskets in the office of Frederick H. Moore, attorney for Sacco and Vanzetti, at 3 Tremont Row, Boston, among which was the one above referred to from [redacted]. In report of Agent West for December 3d, (1920), pages 6 and 7 thereof, reference was made to a letter from Attorney Moore to Aldino Pelicani, in which Moore details various expenditures, among which appears (page 7) 'bill from [redacted] b7c b7d

[redacted] stenographic services, \$10.50." [redacted] is understood to be a public stenographer, which apparently explains the above letter containing address of [redacted]

Agent West of this office advises that he recalls that at that time [redacted] did call at the Bureau office with some discarded envelopes and torn papers which he said he had collected from the waste baskets in the building at 3 Tremont Row, Boston, but has no knowledge as to who employed him or his agency, unless it could have been that the Burns Agency happened to be working on an investigation of the Wall Street Bomb Explosion at that time. I find no evidence indicating that Mr. Letherman while connected with the Burns Agency in Boston co-operated with the office in any connection relative to the Sacco-Vanzetti case or the activities of the Sacco-Vanzetti Defense Committee. b7c b7d

Referring to the paragraph in your letter quoting part of my report to you relative to the statement of former employee Weyand to the effect that former District Attorney Katzman visited the Boston office at night and talked over the case, etc., Mr. West informs me that he never met Mr. Katzman until late in October or early in November, 1920, as nearly as he can now recall, and feels absolutely positive that Mr. Katzman never visited the Bureau office at 7 Water street, Boston, and surely so far as he is concerned never called there or any other place for that matter to talk over the case with him. This, I believe, is also the opinion of Mr. Hanrahan. Certainly, the records in the case contain no such implication and the only correspondence, as you were advised before, is one letter from Mr. Katzman acknowledging receipt of a translation of an article appearing in a radical paper.

You are right in your assumption relative to former Agent Weiss (who died at Chicago, Illinois, in February, last), and any statements made or action taken by him occurred after he separated from the service on November 1, 1919, and before he was reinstated in the Immigration Service sometime on or about September, 1924.

Referring to your paragraph relative to Agent [REDACTED] b7c
I regret to state that this office has no file relating to his term of employment here as his personnel file was transferred to the Pittsburgh office last October. If you will recall, [REDACTED] was transferred from the Newark office to this office sometime in 1920, I believe, and was assigned here until sometime in 1922 or 1923 when he resigned. He was reinstated sometime in the Spring of 1923 or 1924 after being out of the service for almost a year. During the period of his separation from the service and a short while before his reinstatement he secured a position as a linotype operator on the "Gazetta del Massachusetts", an Italian paper published in this city, and not a so-called radical journal. [REDACTED] as you may recall, b7c
is a linotype operator qualified to work upon French, Italian and Spanish papers, as I recall it. He secured that position himself, for a legitimate purpose, namely, to earn a livelihood, and was employed there but a few weeks or so when he was reinstated. At that time there was employed on the paper a man named Guadagni, an alleged radical active on behalf of Sacco and Vanzetti and naturally Mr. Thompson gave some credence to the statement of Mr. Weyand in reference to that situation. b7c

As to your paragraph concerning former Agent [REDACTED] there is, of course, no pertinency to the present case as he had severed his connection with the office some years before, but, of course, you will realize that it seems there always exists some feeling on the part of those out of the service against employees who remain, even though those remaining had nothing whatever to do with the separation from the service of former employees. In this case, however, the matter is an inconsequential one and, as you state, of no pertinency. Its indication is merely the fact that Mr. Thompson, as counsel for Sacco and Vanzetti, has merely adopted the trend of thought of former counsel, Moore, and members of the Defense Committee as far back as 1920, when they even then were obsessed with the idea that because of the activities of Sacco and Vanzetti on behalf of Elia and Salsedo, if there were any such activities, they were followed by the members of the Bureau and their arrests instigated, and, in following this line of reasoning, Mr. Thompson has apparently sought out every former employe of the office here in the hope that he would learn something that would afford a prop for his contentions.

As to the concluding paragraph of your letter, I agree with you that the statement of Mr. Thompson as to your citizenship in Florida, if the same were reported accurately, was indeed amusing and I realized that you would accept it in the manner in which it was given. It seemed too highly amusing to allow it to pass unnoticed, and, as you state, appears nearly as accurate as some other statements made.

Very truly yours,

J. E. Hoover, Esq.,
Director, Bureau of Investigation,
U.S. Department of Justice,
Washington, D. C.

John A. T. [Signature]
Special Agent in Charge.

#51



Mr. George J. Starr,
Postoffice Box 722
Portland, Oregon.

61-126

Dear Sir:-

RE: SACCO-VANTINI ROBBERY MURDER

Enclosed please find report submitted
by Confidential Informant [REDACTED]
[REDACTED] which please transmit and return to this
office as soon as possible.

b2
b7d

Very truly yours,

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DATE 2/1/82 BY SP-8/BJC

J. E. DALY
Agent in Charge.

JLE:WHL
Enclosure - 1
C.C. Director [initials]

RECORDED

61-126-755	
BUREAU OF INVESTIGATION	
APR 21 1927 A. M.	
DEPARTMENT OF JUSTICE	
Div. Two	FILE

#47

RE: SAC
62-126-736

RECORDED

APR 26 1927

April 25, 1927.

MEMORANDUM FOR MR. LORING.

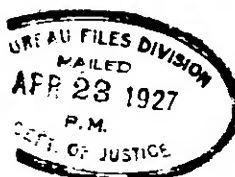
I am transmitting, attached hereto,
copy of report of Agent [redacted] of the Bureau's
New York Office, dated April 20th., covering
the so-called SACCO-VANTETTI PROTEST MEETING,
held at Union Square, New York City, on April 16,
1927.

Very truly yours,

Director.

Enc. 61123.

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DATE 6/30/82 BY SP8 BTJ/mc



REPORT MADE AT: New York City	DATE WHEN MADE: 4-20-27	PERIOD FOR WHICH MADE: 4-17-27	REPORT MADE BY: [REDACTED] b2c
TITLE: RE: <u>SACCO-VANZETTI PROTEST MEETING:</u>			CHARACTER OF CASE: Meeting held at Union Square New York on April 16th, 1927.

SYNOPSIS OF FACTS:

New York File #61-27.927

Meeting held on Union Square, Saturday, April 16th, protesting the execution of SACCO and VANZETTI. Hand bills printed in various languages were distributed, and many well known persons were among the speakers. Another meeting is to be held on April 28th, at which time it will be decided whether a protest strike will be called. The meeting lasted about three hours.

CLOSED:

DETAILS:

A meeting was held on the afternoon of Saturday April 16th, on Union Square at which about 8,000 or more persons were present in demonstration against the execution of SACCO and VANZETTI, handbills in several languages were distributed in the crowd, samples of same are attached to the Washington Copies of this report, some of which advocate a GENERAL STRIKE, as a means of preventing said execution.

Among the speakers were CHARLES KLINE, pardoned by GOVERNOR FERGUSON, of TEXAS, after serving part of a 15 year sentence for radical activities along the MEXICAN BORDER; RICHARD MOORE, organizer of the NEGRO LABOR CONGRESS, BEN GITLOW, SCOTT WEARING, CARLO TRESCA, ROBERT W. LINN, FOREST BAILEY of the CIVIL LIBERTIES UNION, CAPTAIN PAXTON HIBBEN, BISHOP PAUL JONES, ARTHUR GARFIELD HAYES, W. W. WINSTONE and others.

DETAILS:

Another meeting is to be held on April 28th, at which it will be decided whether or not the protest strike will be a half a day or longer, a tentative date for the strike being set for June 5th, 1927. The meeting lasted about three hours.

CLOSED:

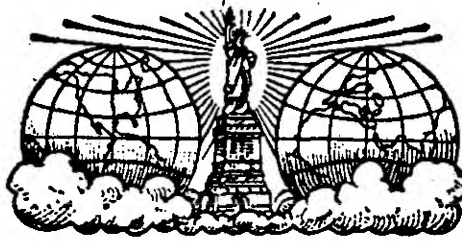
DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: [Signature]	SPECIAL AGENT IN CHARGE	61-126-756	RECORDED AND INDEXED APR 22 1927
WASHINGTON REFERENCE: #2	COPIES OF THIS REPORT FURNISHED TO: Washington New York City	BUREAU OF INVESTIGATION A.M. APR 22 1927 DEPARTMENT OF JUSTICE ROUTED TO: Div. One Div. Two	CHECKED OFF: APR 26 1927 JACKETED:
	JLR-MCK	FILE	b7c

ENCLOSURES: TO WASHINGTON

BY AIRMAIL FLIGHT 1927

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York

NEW YORK, SUNDAY, APRIL 17, 1927.

Entered as Second-Class Matter
Post Office, New York, N. Y.

**REVOLT
AHUALED
ALMEIDA**

ned by Mayor,
to Mountains,
als Selze and
His Lieu-
Summarily

**KS LEADER
AS HIS FRIEND**

Simply Local
States Now
affected

World's Bureau
to The World

8,000 Vote to Strike For Sacco, Vanzetti; Boo Coolidge Name

**Throng in Union Square Hears Kline, Nearing, Tresca
and Others and Adopts Resolutions Charging
Persecution of Condemned Men—
Catcalls Against Green**

Eight thousand persons raised their hands and voices in Union Square yesterday against the ordered execution of Sacco and Vanzetti in Massachusetts next July.

The mass meeting filled the northern half of the Square. Men and women turned out in equal numbers, well dressed working people with their Saturday's pay in their pocket. They appeared quiet yet determined. Hemming them around were about 200 policemen, more than half of them in plain clothes. Some uniformed men had horses and armored motorcycles.

There was no police interference except once, when a placard demanding impeachment of Judge Thayer of Massachusetts was taken down.

Rescue 4 Adrift At Sea All Night

May be the last time the rescue brains but once every so often some rookie from the bush leagues comes along and sneaks a fast one right over. William M. Gray of Portsmouth, N. H., a man in the...

MORE PERISH IN PEAK FLOOD OF THE MIDWEST

Mississippi and Ohio Join In Sending Waters Over Levees; Thousands Flee the Onrush of Mud-Laden Tide

RED CROSS IS AIDING REFUGEES ON MISSOURI

Many Escape, Others Marooned Waiting Rescue or Death; Higher Level Expected

MEMPHIS, Tenn., April 16—A. P. The mighty Mississippi, testing strength of levees throughout its more than 1,200 miles from Cairo, to the found additional weak spots today.



World Staff Photographer Yesterday.

5,000 VOTE STRIKE IN SACCO PROTEST

(Continued From First Page)

of workers, gathered in Union Square, New York, on Saturday, April 16, 1927, is in favor of all workingless organizations, regardless of their political differences, uniting their forces to free Sacco and Vanzetti whose persecution is a general attack on the freedom of expression so necessary to the workers:

2. That we stand solidly behind the movement for a National Conference at which the question of national action could be discussed;

3. That this meeting is wholeheartedly in favor of a general local strike movement;

"And be it further resolved. That we hereby request the Governor of Massachusetts to intervene and give justice to our two persecuted fellow-workers, who have devoted their lives to the cause of labor, by giving them their absolute and unconditional freedom.

"Copies of this resolution shall be sent to Gov. Alvin T. Fuller, State House, Boston, Mass.; to William Green, President of the American Federation of Labor, Washington, D. C., and to the labor press."

Among other speakers were Forest Bailey, Director of the American Civil Liberties Union; Bishop Paul Jones, formerly of Utah; Capt. Paxton Hibben, Lena Chernenko, Rebecca Grecht, Arthur Garfield Hays, W. W. Weinstein and Leonard Abbot.

Handbills circulated at the meeting read in part:

"Remember: The good, Christian Judge declared them guilty on the eve of Christmas and sentenced them to

death before the Easter! Why not murder them on the Fourth of July?

Sacco and Vanzetti represent the highest aspirations of mankind. Will you wait until they are killed and then sing, 'Their soul is marching on?'

Leonardo Frislinis, secretary of the Sacco-Vanzetti Strike Committee, said at the Italian Labor Centre that the "tentative date" of June 15 had been set for a general strike, in protest, but it was not decided yet whether the strike would be half a day or longer, this matter to be settled at another meeting, April 28.

After the meeting a machinist, Samuel Fasonia, was arrested at Second Avenue and Seventh Street carrying a poster which read, "We want Sacco and Vanzetti freed." A crowd gathered and Patrolman Thomas Hull was knocked over. Patrolman Rush came to his aid and Fasonia was led to the Fifth Street Station charged with disorderly conduct, Hull being treated for cuts of the legs.

FESS PICKS COOLIDGE

Predicts He Will Be First President to
Serve More Than 8 Years.

Special Despatch to The World

WASHINGTON, April 16.—Senator Fess (R., O.) predicted to-day that "Calvin Coolidge will be the first to be nominated and elected to the Presidency to serve longer than eight years."

"Coolidge was second to break the precedent of Vice President succeeding to the Presidency," said Mr. Fess. "If he wishes to do so, he will be the first to break the precedent of an additional election. It is not a third term, but a second elective term in his own right."

WORLD'S READERS WELCOME MILLARD

(Continued From First Page)

for a new China, to express appreciation of the editorial attitude of The World. No writer from China who has

Stop Persecution of Foreign Born Workers

Defeat Anti-Labor Bills Before Congress

BILLS proposing to wipe out elementary rights guaranteed the workers of this country by the Constitution of the United States, namely, the right of unfettered "pursuit of life, liberty and happiness," hallowed by historical declarations such as the Declaration of Independence, have at various times in the history of this country been brought before the United States Congress.

Once again at this time a series of most un-American measures are before the United States Congress, proposing the REGISTRATION, FINGER-PRINTING, and PHOTOGRAPHING of FOREIGN BORN WORKERS.

President Coolidge and Secretary of Labor Davis are vigorous champions of these vicious anti-labor laws.

These bills, if enacted into law, will bring into the United States the blackest practices of Russian czarism and Prussian militarism.

One of these bills, Bill Number HR 5583, introduced by Congressman Aswell of Louisiana, and NOW pending before Congress, provides for the REGISTRATION of aliens and for other impositions.

Section 2 of this bill states that "every alien in the United States shall within the time fixed by the President, in a proclamation made by him, within 90 days after the enactment of this Act, REGISTER as provided in this act. An alien under 16 years of age may be registered by parent or guardian."

Section 4 of the same bill states: "Upon the initial REGISTRATION of each alien who has reached the age of 21 years, he shall pay to the officer REGISTERING him a fee of ten dollars, and for each subsequent REGISTRATION he shall pay a fee of five dollars."

Section 6 of this bill further provides that even temporary absence from the district in which he is REGISTERED must be reported, and a complete statement of all his activities must be made to a government official.

Section 6 provides that he (the foreign born) shall on demand exhibit his certificate of identification to any one of the Department of Justice, or the Depart-

ment of Labor, or any other officer designated by the President. Recall the hysterical days of the late war and the viciousness of this section becomes at once apparent.

Section 13 empowers the President to require all or any part of the aliens to report at such time and such places as he shall fix.

The foreign born constitute a majority of the workers employed in the basic industries. The low wages they receive and the oppressive conditions under which they labor have in the past, and will again in the future, drive them to strike. With the arbitrary power placed in the hands of the President by this Section, the President can break any strike, by the simple expedient of requiring the aliens who are striking to "report at a time and place which he shall fix." Refusal to obey carries with it DEPORTATION.

Section 17 authorizes the Secretary of Labor to empower any one to enter any place and demand any information necessary to carry out the provisions of this act, and to arrest or detain any person who refuses him entry or refuses to give such information.

Section 20 provides that any foreign-born worker violating the provisions of this act shall be fined upward to \$5,000 or imprisoned upward to 2 years, and upon completion of the sentence shall be immediately taken into custody and immediately deported.

This legislation is a direct threat against the entire working class of this country. It is a threat against the trade-union movement. It would drive a wedge between the foreign-born and the native workers. It would segregate the foreign born and, under the threat of deportation, use them as a club to batter down the standard of living.

Workers of the United States, do your part in defeating this vicious legislation. Remember that this bill is only one of a number of similar nature. Do not allow yourselves to be divided along nationalistic lines.

The bill is a blow at American as well as foreign-born workers. Answer the attack of the Open Shoppers by organizing COUNCILS FOR THE PROTECTION OF THE FOREIGN BORN, or join the Councils already in existence.

Issued by the

NATIONAL COUNCIL FOR PROTECTION OF FOREIGN BORN WORKERS

41 UNION SQUARE, NEW YORK

(869)

*A Communist orga-
nization*

WORKERS! ON WATCH!

BEN GOLD, MENSCHER, SHAPIRO and other Joint Board Members are now in Jail in Mineola.

The Facists Woll, McGrady and the other Black Hundred union smashers, Sigman, Schachtman and the treacherous Forward have joined with the District Attorney to railroad your leaders to jail. They hope by this manouever to break your unions.

Every day shows them working more openly against the workers as they lose all sense of shame and decency, and throw aside their masks, exposing the fact that from their point of view the unions exist only to provide the gang with fat jobs, which they use in addition to squeeze huge sums of graft out of the bosses.

Workers you must fight the attempt of the union smashers to capture and destroy the unions that you have built at such great sacrifice. A victory for them means the return of the sweat-shop, long hours, small wages.

A victory for the Joint Board means your victory. It means a clean union ruled by you. It is well worth fighting for.

CLOSE UP YOUR RANKS, INTENSIFY THE STRUGGLE AND MARCH TO VICTORY!

Help the Defense Committee!

Help free the imprisoned Cloakmakers and Furriers!

Help furnish relief to the families of the prisoners!

Buy the Dollar Certificates on the Hundred Thousand Dollar Fund Roll Call!

Collect articles for the Bazaar—May 12 to 15!

Remember — One Hundred Thousand Dollars must be raised to help win the fight!

Statement issued from Jail by B. Gold and his fellow prisoners

"Our enemies can bind our bodies in chains, but not our spirit... Prison walls cannot crush our ideals or convictions. On the contrary, our determination to fight for justice for the oppressed working class is strengthened by such persecution.

COMRADES! KEEP YOUR RANKS UNITED! HOLD ALOFT THE BANNER OF OUR SACRED STRUGGLE.

CLOSE YOUR RANKS AGAINST YOUR ENEMIES.

WE SHALL MEET AGAIN SOON.

LONG LIVE THE STRUGGLE FOR THE WORKING CLASS.

SIGNED BY:

Ben Gold, Sam Mencher, Isidore Shapiro, Jack Schneider, Joe Katz,
George Weiss, Oscar Milcof, Morris Malkin, Martin Rosenberg,
Leo Franklin, Otto Lenhard

Cut out this Certificate and send or bring it to the Office of the Joint Defense and Relief Committee of the Cloakmakers and Furriers, 41 Union Square, Room 714.

THE 100,000		DOLLAR FUND	
ROLL CALL			
Joint Defense and Relief Committee, Cloakmakers and Furriers			
Room 714, 41 Union Square, New York City			
I hereby contribute One Dollar to the work of freeing the imprisoned			
Cloakmakers and Furriers; defending those under indictment and raising money for their families.			
Name _____		Address _____	


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DATE

אַרבעטער אויף דער וואל!

העלשט אונז געוויינען דעם גערעכטן קאמף!

מען האט דאס געזאגט, און דאס איז געווען דאס
אונזערע פארשטייט, דאס איז דאס געזאגט, און
דאס איז דאס געזאגט, און דאס איז דאס געזאגט.

ויהיה אם דעם סקרמאזיקייט, כדרינגט אדער שיקט צו און אפיס און רשאטע דעזענס און דעליקט קאסיטע קלאוקסאכער און אדער
41 יוניאן סטומער, דום 714



THE 100,000 DOLLAR FUND

ROLL CALL

 Joint Defense and Relief Committee, Cloakmakers and Furriers.

 Room 714, 41 Union Square, New York City


I hereby contribute **One Dollar** to the work of freeing the imprisoned

Cloakmakers and Furriers; defending them under indictment and raising relief for their

families.

Name _____

 Address _____



Next Sunday, April 17th, 1927

at 8 P. M.

JAY LOVESTONE

Acting General Secretary Workers Party

"America and the Next War"

*A report on the analysis of the world situation
by the last Plenum of the Comintern.*

Workers School Forum

108 East 14th Street

Admission 25 cents — Bring your friends



Do You Know That In The World War TEN MILLION Men Were Killed?

Another Ten Million, Men, Women and Children Died from the Effects of the War.

**DO YOU KNOW THAT THE NEXT WAR WILL BE EVEN MORE
DESTRUCTIVE?**

All the nations, including the United States, are spending far more for militarism than they did in 1913 and perfecting machinery to spread death wholesale?

Do you know that General Pershing warned that another World War might destroy our Civilization?

And that General Allen (on his return to the U. S. A., after being in command of the American troops on the Rhine) said that Europe was heading for another war and should this occur the U. S. A. would find it impossible to remain neutral?

Preparedness Does Not Pay; Witness Europe's Condition Today

War does not protect; Think of what the women and children in Europe have suffered.

Do you know that wars do not happen; They are made; and that we, "The Public," can prevent future wars? Destroy war before it destroys mankind.

Decide now that human life should always be held sacred and that the first human right is the right to life itself—organized killing is just as wrong as the murder of one man by another.

Resolve, as many brave men and women in this country and in Europe have resolved, that you will never support another war. If a sufficient number take this stand, there will never be another war.

Write at once to the President, your Senators and Congressmen to settle the difficulties in China and Nicaragua by arbitration to prevent another World War.

Ask your organizations, labor, social and religious, to endorse a program of world peace and disarmament, and to send resolutions to their congressman to that effect.

Also write to President Coolidge a postal or a letter, asking for a program of world peace and the outlawing of all war, and ask him to hurry the promised disarmament conference. Remember, your protest is important—*It helps mould public opinion*—Act without delay. Teach your children works of love and peace, instead of war and death. Let America be first to lead the world to peace and happiness out of chaos.

Heretofore, smaller causes have called for your support and loyalty. Now you are called to assist the greatest cause of all—to establish peace and good will among men.

Write or come to

The Peace House Fifth Avenue and
109th Street, N. Y.

TELEPHONE
UNIVERSITY 0796

Open daily 4 to 6 P. M.
Sundays 2 to 10 P. M.

MRS. J. SERGEANT CRAM
Founder and Director

Prominent Speakers, Sundays, 8:15 P. M.

April 17, Miss Angela Morgan, America's first Poetess, will read her poems
Broadway chorus beauties invited to lead singing

MUSIC

ALL SEATS FREE

Volunteers needed. Send your name and address if in sympathy with this work.

The Road to FREEDOM

VOL. III—No. 10

P. O. Box 486, Madison Square Station, New York City
Subscription—One Dollar a Year

A Periodical of Anarchist
Thought, Work and Literature

Neither the Electric Chair—nor a Living Death!—

BUT

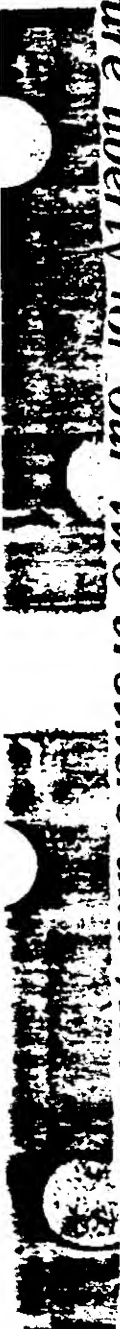
Full Freedom!!
for Sacco and Vanzetti

WORKERS OF AMERICA!

You are to make a historic decision! The ruling class gave up legality for technicality

Give up appeals and use DIRECT ACTION!

Only a GENERAL STRIKE will prevent this double murder
and secure liberty for our two brothers and fellow-workers



SACCO and VANZETTI symbolize the crucifixion of Labor. They are the voice of all Oppressed and Down-trodden. They are the Avant-guard of the coming SOCIAL AND ECONOMIC FREEDOM.

ALTHOUGH CONVINCED OF THEIR INNOCENCE, the ruling class intends to STIFLE THEIR VOICE either in the ELECTRIC CHAIR OR BY LIVING DEATH IN THE DUNGEON.

Remember: The good, Christian judge declared them guilty on the Eve of CHRISTMAS and sentenced them to death before the EASTER!—Why not murder them on the FOURTH of JULY?

Sacco and Vanzetti represent the highest aspirations of mankind WILL YOU WAIT TILL THEY ARE KILLED?

And then sing "Their Soul is Marching On"

WORKERS OF AMERICA!

IT'S UP TO YOU TO PREVENT THIS CRIME AGAINST HUMANITY

It's YOU who are on trial today! History will judge YOU!
Your Child Will Point the Finger of Scorn at You and Ask You "Father, Where Have You Been When SACCO and VANZETTI Were Murdered?"

HARKEN TO OUR VOICE AND PREPARE FOR THE GENERAL STRIKE!

Use Direct Action!

The International Anarchist Group

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DATE 6/30/82 BY SP-9873/MC

(860)

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6/30/82 BY SP-8 BTJ/mc
**SACCO and VANZETTI
WILL NOT DIE!**

Nicola Sacco and Bartolomeo Vanzetti face death in the electric chair. These two brave Italian workers are being made to suffer the death penalty for their devotion to the labor movement. Two victims of the frame-up of the Department of Justice are railroaded to execution after a long, bitter struggle for their lives and freedom, after a six and half years' fight which has aroused universal sympathy of workers throughout the world.

American workers are vitally interested in the Sacco-Vanzetti case. Everywhere the cause of their defense has been endorsed. It is the cause of freedom from persecution and victimization of the foreign-born labor fighter in this country. It is the cause of the rights of this country in their fight for the improvement of the conditions of labor, for their union, and for their class and the rights in it.

Sacco and Vanzetti are the symbols of this struggle. They are secure soldiers for the working class in the vicious "open shop" State of Massachusetts. And for their devotion and self-sacrifice they are to be legally murdered.

They Were Framed-Up.

Sacco and Vanzetti are not just two individuals. They are a symbol. They represent the outcry of the foreign-born members of the labor movement for justice. Their conviction at Dedham in 1921, in an atmosphere of hysteria against "reds" and "aliens" was called a "ghastly miscarriage of justice" by the El Paso committee of the American Federation of Labor.

Our comrades were sentenced to death not because they committed acts of robbery, as charged by the State of Massachusetts, but because they were known as agitators in the labor movement. They were prominent as defenders of comrades during the campaign of Mitchell Palmer and his hirelings in the Department of Justice against the radical movement in this country.

They were convicted on admitted false testimony. For six and half years they have been in jail, sustained only by the knowledge of their innocence of the crime imputed to them is realized by thousands of people the world over and the knowledge also of their unflinching loyalty of their friends outside.

At each of these years has meant 365 days, never a holiday, a change, except to be one day nearer to the electric chair—death.

the Protest.

PROTEST MEETINGS TAKE PLACE IN ALL CIVILIZED COUNTRIES, IN EVERY PART OF THE WORLD. JOIN THE NEXT PROTEST IN YOUR OWN TOWN. WE MUST SAVE OUR COMRADES FROM THE ELECTRIC CHAIR. DO NOT STOP OR BACK DOWN IN THE GREAT COMBAT AGAINST CAPITALISM. REMEMBER, THE ENEMY IS POWERFUL AND UNLIMITED MEANS IN HIS HANDS, BUT LET US PROVE THE SOLIDARITY OF LABOR IS MIGHTIER THAN THE CRUELTY OF THE EXPLOITERS.

2 folium
**SACCO E VANZETTI
NON DEVONO MORIRE**

Nicola Sacco e Bartolomeo Vanzetti affrontano la morte sulla sedia elettrica! Questi due bravi lavoratori italiani sono costretti a subire la pena capitale a causa della loro devozione verso il movimento operaio. Queste due vittime della congiura del DIPARTIMENTO DI GIUSTIZIA vengono avviate all'esecuzione dopo una lunga ed amara lotta per la loro vita e per la loro libertà, dopo sei anni e mezzo di agitazione che ha suscitato la simpatia generale dei lavoratori di tutto il mondo.

I lavoratori americani sono vitalmente interessati nel caso Sacco e Vanzetti. Ovunque la causa della loro difesa è stata sostenuta. Essa è la causa della libertà contro la persecuzione e la vittimizzazione in questo paese del lottatore operaio nato all'estero. La causa dei lavoratori di questa nazione nella loro lotta per migliorare le loro condizioni di lavoro, per il beneficio della loro unione per quello della loro classe e dei lottatori che vivono in essa.

Sacco e Vanzetti sono i simboli di tale lotta. Erano soldati oscuri della classe lavoratrice lottante contro le fabbriche non unioniste del Massachusetts. E per tale loro devozione e spirito di sacrificio li vogliono legalmente assassinare.

Essi sono vittime di una congiura.

Sacco e Vanzetti non sono semplicemente due individui. Essi concretizzano una causa. Essi rappresentano il grido dei figli del lavoro nati all'estero e che in questo paese domandano giustizia. La loro condanna di Dedham che data dal 1921, pronunciata in mezzo ad un'atmosfera d'isterismo contro i "rossi" e gli "stranieri", è stata bene stigmatizzata al Convegno dell'AMERICAN FEDERATION OF LABOR, tenuta ad El Paso, quale un "ORRENDO ABUSO DELLA GIUSTIZIA". I nostri compagni sono stati condannati alla morte non perchè rubarono, quale è l'accusa dello Stato di Massachusetts, ma perchè erano conosciuti quali agitatori nel movimento operaio e perchè erano prominenti quali difensori delle vittime avvute nella campagna di Mitchell Palmer e dei suoi cagnotti del Dipartimento di Giustizia, i quali volevano fiaccare ad ogni costo il movimento radicale di questo paese.

Essi sono stati condannati su confessione false testimonianza. Per sei anni e mezzo sono stati in galera, sostenuti soltanto dalla cognizione, che la loro innocenza nel delitto loro imputato, è realizzata da migliaia di persone in tutto il mondo, e dalla cognizione della incessante lealtà dei loro amici. Ma ognuno di tali anni ha significato 365 giorni di pena, senza mai una festa, senza un mutamento, eccettuato quello di sentirsi ogni giorno più vicini alla sedia elettrica... o alla libertà.

LAVORATORI, fate sentire la vostra protesta ovunque. A tale scopo grandi comizi hanno luogo in tutti i paesi civili, in tutte le parti del mondo. Unitevi a tale potente protesta anche nella vostra città. Noi abbiamo il dovere di salvare i nostri fratelli dalla sedia elettrica. Non fermatevi né tentennate nella grande battaglia contro la tirannia capitalistica. Ricordatelo, il nemico è potente ed ha mezzi illimitati nelle sue mani, e perciò è necessario dimostrare che la solidarietà del Lavoro è più potente della congiura degli sfruttatori.

(864)

Russian

САККО и ВАНЗЕТТИ не должны умереть!

Николай Сакко и Бартоломей Ванзетти ожидает смерть на электрическом стуле! Эти два итальянские рабочие были приговорены к высшему наказанию за их верность рабочему движению. Они — жертвы Департамента Юстиции, который намерен послать их на смертную казнь после их долгой, отчаянной борьбы за жизнь и свободу, борьбы, которая длилась почти с половиной лет и вызвала к ним сочувствие рабочих всего мира.

Американские рабочие кровно заинтересованы в деле Сакко и Ванзетти. Повсюду дело их защиты встречает поддержку. Дело их защиты — дело защиты свободы и прав иммигрантского рабочего от преследований и гонений. Их дело — дело рабочих этой страны, ведущих борьбу за улучшение условий труда, за свое объединение, за свой класс и своих классовых борцов.

Сакко и Ванзетти — символы этой борьбы. Они были известными борцами за рабочий класс в Штате Массачусетс, известны своей враждебностью организованному труду. За их преданность и самопожертвование Штат Массачусетс решил их законно убить.

ЖЕРТВЫ ЗАГОВОРА.

Сакко и Ванзетти — не просто два осужденных рабочие. Они представляют собою мучеников за справедливость. В их голосах слышится крик за справедливость к рабочим-иммигрантам в этой стране. Их осуждение в Дедгаме в 1921 году в атмосфере, напитанной историей против «красных» и «иностранных» было точно охарактеризовано Конвенцией Американской Федерации Труда в Эль Паэро, как «ужасная несправедливость».

Наши товарищи были осуждены к смерти не за то, что совершили акт грабежа, в чем их обвиняет Штат Массачусетс, но за то, что они были им известны, как агитаторы и участники в рабочем движении и вели борьбу за защиту своих товарищей во время похода Пальмера и его наместников Департамента Юстиции на радикальное движение этой страны.

Их осуждение было основано на ложных показаниях, как было установлено. Шесть с половиной лет, однако, они уже провели в тюрьме, и только сознание в своей невинности в приписываемом им преступлении и сочувствие своих многочисленных друзей по всему миру дали им силу переносить всю тяжелую участь.

Но каждый год в тюрьме для них означает 365 дней, сухих и монотонных, без праздников и развлечений, и каждый новый день им предвещает электрический стул — или свободу.

Митинги протеста устраиваются во всех цивилизованных странах в каждой части мира.

ИСОЕДИНЯЙТЕСЬ К ПРОТЕСТУ!

Товарищи, присоединяйтесь к этим протестам, каждый в своем городе! На нас лежит долг спасти наших товарищей казни. Не покладайте оружия в борьбе с капиталистической тиранией. Помните, что враг силен и в его распоряжении громадные средства, но мы можем показать, что Сила Рабочих Гораздо Сильнее Заговоров Эксплуататоров.

44-43-
2

Department of Justice

Bureau of Investigation

Box 239, Boston, Mass.



April 21, 1927.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

61-126

Re: SACCO-VANZETTI MATTER

Dear Sir:

With reference to the above entitled matter, permit me to attach hereto for your information recent news items concerning meetings held in the interest of the above named individuals.

Very truly yours,

JOHN A. DOWD
Special Agent in Charge.

JAD:MFD
Att. #1

3 Encl.

for info.
drop.

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APR 27 1927

The following
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BUREAU OF INVESTIGATION	
APR 22 1927	
DEPT. OF JUSTICE	
Div. One	Div. Two

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE \$300

DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

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#44

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Three Cables

Intervention by the President

Three appeals have been made to President Coolidge to save Scorsese and Vannetti, who have been condemned to death for the murder of a paymaster and his guard at South Braintree seven years ago.

CABLE FROM PARIS

One of the appeals contained in a cable from Paris was signed by Henri Harbusse, Einstein and Romain Rolland. The latter was exiled from France for pacifist attitude during the World war.

This guide read: "Defence Committee for the Victims of Fascist and British Terror protest against imperialist war the slaughter of Spain and Germany and asks that America..."

[illegible]

The third battle, which came about Prague and was designed, protected against the "barbarous" invasion.

Copies of these cables were sent to Governor Fuller yesterday by Secretary of State Kellogg. The Governor's mail continues to bring an increasing number of letters for and against clemency to the condemned man.

CANNOT GET HIM

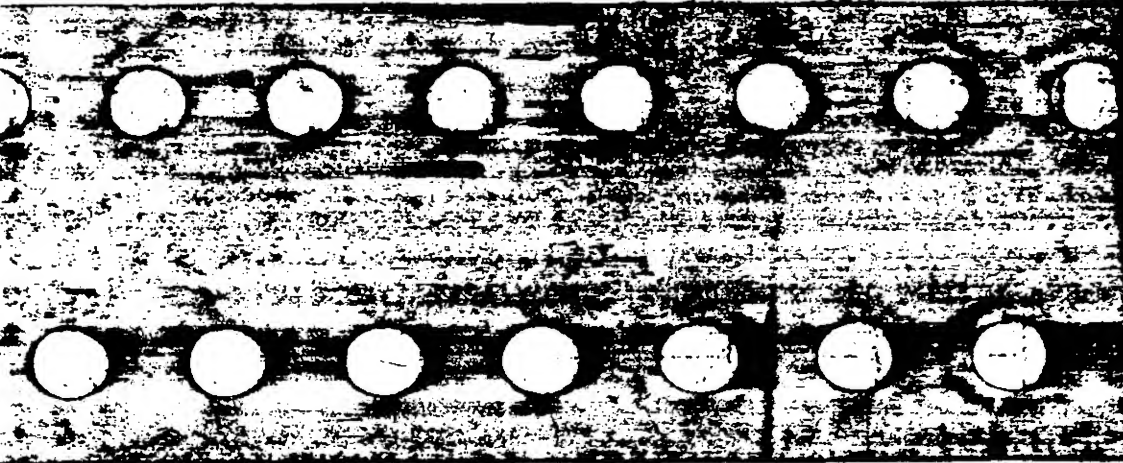
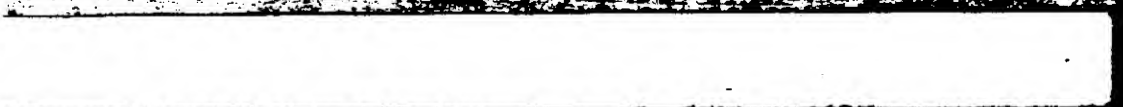
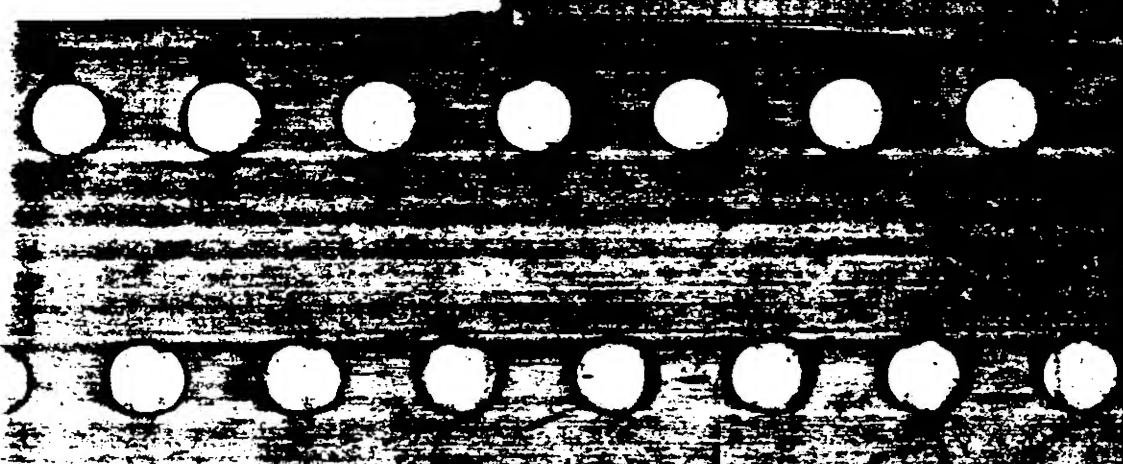
MEMORANDUM

TO : THE PRESIDENT

FROM : THE VICE PRESIDENT

SUBJECT: MEETING

RE: MEETING
DATE: 1/22/72
TIME: 10:00 AM
PLACE: 1000



Sacco Resolutions Lost in Confusion at Northampton

(Continued from First Page.)

During the address by Prof. James M. Landis of the Harvard Law School, in which the latter mentioned the justice of the verdict, the rulings of Judge Webster Thayer who presided at the trial and maintained that the laws of the Commonwealth forbid anything but points of law.

Whereas the fairness and impartiality of the trial of Nicola Sacco and Bartolomeo Vanzetti have been widely and persistently questioned, and whereas their execution at this time would, in view of this widespread doubt, tend to encourage discontent and the distrust of American institutions.

Be it hereby resolved that it is the sense of this meeting, held in Northampton, Mass., on the nineteenth day of April, 1927, that we urge Gov. Alvan T. Fuller of Massachusetts to avail himself of the powers granted him by the Constitution of the State in order to prevent the possibility of a miscarriage of justice.

And be it further resolved that a copy of this resolution be sent to Gov. Fuller.

Meeting Verges on Row.

Things had gone along with unexpected smoothness during Prof. Landis' address and there was scarcely a ripple of disorder during the reading of the resolutions. Instead, the audience of 1000 or more who packed the high school hall to its utmost limits and necessitated an overflow meeting in Carnegie Hall, listened to everything up to this point with utmost respect and attention.

But when Mrs. J. B. Dickson, president of the Hampshire County Progressive Club, sought to second the resolutions as substitute for Rev. Edward A. Estaver, pastor of the Baptist Church, former Mayor William H. Parker instituted a spirited opposition to the resolutions as well as the other purposes of the meeting which continued for nearly an hour. Then Maj. Thomas J. Hammond, former district attorney of the North-western District, negotiated tactical aid by offering a motion to adjourn.

But before that motion to adjourn was offered the air was filled with excitement, recrimination and cross-recrimination threatening at times to burst all bounds. During this time several hundred Smith College girls, who by flocking to the high school nearly two hours before the meeting was scheduled to begin succeeded in taking possession of a major portion of the seats, fled from the hall at a nod from President Nelson and permitted several hundred men and women who had failed to gain admission to the hall earlier in the evening to take their place.

A fair-sized row, which also threatened to bring the meeting to a close in hopeless disorder, started when President Nelson attempted to have County Commissioner George Hitchcock of Northampton in three minutes what the latter endeavored to do against the resolutions. During the excitement Maj. Hammond alluded to the fact that he had written President Nelson's failure to become a naturalized citizen.

Doubt of Legal Decision.
When the cheering that had greeted the passage of the speakers into the

auditorium Sacco's pistol was shown afterward admitted that he never had been prepared to go to the gallows.

Showing a very trial was the fact that Judge Thayer's attitude was not as favorable as that of the prosecuting attorney was not with the highest standard of the legal profession. "If this is so," Prof. Landis almost shouted, "let us think of the legal profession."

The first point on which the State based its case, the speaker said, was the admission of guilt by the two men, and he went on to try to show that Sacco had admitted by all that the two were guilty of being "reds" and of having gone to Mexico to avoid the law. It was perfectly natural that they should be guilty when they were captured.

Frank J. Murphy said Judge Thayer should have granted a new trial. The Maderia confession was false. The evidence that Maderia gave was the result of a trick played with the facts which two of the description given of by the State, he asserted, and three other witnesses corroborated Maderia. Judge Thayer's duty wasn't to determine whether the evidence was true or not, it was merely to decide whether or not it cast a reasonable doubt on the justice of the verdict.

After he had finished speaking Prof. Landis was asked from the floor whether he had spoken with any members of the jury who tried the case. He replied that he had not and that he was not the member of the Supreme Court in reviewing a case to talk to the members of the jury.

Sound and Image Travel on Single Wavelength

NEW YORK, April 12—(AP) Transmission of sound and image on a single wavelength, a new chapter in the story of television, was announced today by the Bell Telephone laboratory.

In experiments, images were transmitted simultaneously with speech, from Station 3 IN at Whippany, N. J., to New York. The experiment was pronounced a success by Dr. Herbert E. Ives and E. L. Nelson, who directed it. Transmission was by a single radio wave of a band of frequencies equal to that of several telephone conversations without distortion of cross-modulation of the various frequencies within the band. A band of 20,000 cycles was used for forming the images and one of 5000 cycles for speech. Both bands were carried on a wavelength of 191 meters, the same wavelength used in the demonstration, April 7. Two receiving sets, one equipped with a triple detection and signal altering arrangements, received the impulses without distortion.

Merchants Doubt Ford Stores Make Profits

DETROIT, April 12—(AP) Members of the committee of the Michigan Retail Dealers' Association, recently in Detroit to inspect the Ford Food and Merchandise commissaries to learn whether the concerns operate at a profit and at the same time undersell retail merchants, have as yet obtained no such information, David A. Brown, head of the committee, announced today. "In fact we do not believe the Ford

self-trial had been made, he said he had been in the room in 1927. Some of the other witnesses who had been in the room at the time of the trial, he said, had been in the room at the time of the trial. He said that he had been in the room at the time of the trial. He said that he had been in the room at the time of the trial.

President William Brewster, who was in the audience at that time, was more than an hour made up of students of Smith College. Prof. Landis began his talk without any of the hesitations that made it difficult for him to speak later. Besides, those opposed to the passing of the resolution were hiding their time and only when the passing of the resolution drew near did they assert their will and insist that they be allowed to speak in rebuttal 10 minutes instead of three minutes as had been planned.

Prof. Landis, as if he realized what would be the basis of later criticism of the resolution, namely, that it was not for citizens to criticize the courts, opened his argument with the statement that the courts of Massachusetts are our servants and that respect for the law should not be based on ignorance.

"If the courts have erred, and courts do err," he declared, "it is our constitutional right to object and to appeal to a higher power. Moving waters are full of life and health; only in still waters are stagnation."

To those whom Prof. Landis knew would object (as they did later) that a layman is not fit to discuss the case since he has no legal knowledge, the speaker said that this would be a fair objection provided there was question of a technical point of law. "But the question is not of that nature," he asserted. "The question is whether or not two men are guilty of murder; if two men have had a fair trial, it is proper that the courts should justify themselves to the public. If this business of radicalism, let me quote John Buchanan, who later became President of the United States, 'What is doing justice it is important to satisfy the people that justice has been done.'"

Declaring that it is perfectly known that the courts do sometimes miscarry, the speaker cited several instances of executions which had been followed by the discovery that the executed men were innocent. While he admitted that it was impossible for the Supreme Court to exercise its judgment as to the guilt of the men, Prof. Landis declared that he thought the Sacco-Vanzetti case brought home the necessity of correcting a mistake in Massachusetts judicial procedure. In the mean time he thought the results of its bad functioning could only be rectified by the Governor.

Judge Thayer Attacked.
Prof. Landis then outlined the facts of the Braintree murder and the capture of the two men, claiming that when Sacco and Vanzetti were first shown to three men present shortly after the murder and who later became star witnesses for the State, these witnesses could not identify them. Nevertheless, said Prof. Landis, these men later testified that Sacco and Vanzetti were the men they saw commit the murder. Their testimony was one of the points on which the State rested its case.

The second point on which the State rested its case was the testimony that one of the six bullets in one of the murdered men's bodies came out of a pistol that Sacco was carrying at the time of the arrest. Prof. Landis claimed, however, that only one of four experts had made a direct statement that he believed the bullet did come from Sacco's pistol.

The other state witness, Capt. Prescott, said that the bullet was "not

Express Company Will Pay

Extra for Overtime Work
NEW YORK, April 18.—An express company has agreed to pay extra for overtime work of its employees. The company, which is the American Express Company, was told today by representatives of the Brotherhood of Railway Clerks and other groups of the express company. The company has agreed to pay 1000 employees are affected by the new ruling, which provides that the employees will receive the additional pay for all work over eight hours, and no overtime on Sundays and holidays.

STURK HEADS MERGER

Stanley Co. Chief Elected President of First National Pictures.

ATLANTIC CITY, N. J., April 18.—(AP) John J. McGuirk, president of the Stanley Company of America, today was elected president of the First National Pictures, Inc., upon completion of the \$100,000,000 combine which brings these two companies together with the West Coast Theaters, into a nationwide motion picture producing and exhibiting organization. Mr. McGuirk succeeds Robert Liber, who becomes chairman of the board.

At the same time seven directors, representing the Stanley interests, were placed on the new board of the First National company and representatives of both the Stanley and West Coast groups were elected voting trustees of First National stock.

Today's action marked the final step in effecting a triple combination, which is the largest development in the motion picture industry since the Famous Players Lasky consolidation.

Thieves Take Finery of Opera Tenor's Wife

CHICAGO, April 18.—(AP) Marge Tins, wife of the renowned tenor of the Chicago Civic Opera Company, reported the theft of four wardrobes of finery upon her arrival here today from El Paso, Tex., en route to New York. She saved personal jewelry, estimated to be worth \$10,000 by wearing it, she told police officials.

Her trunk contained a pearl stud valued at \$12,000 by the tenor, and clothing valued at \$12,000.

GEORGE R. LEADER DEAD

BOOKLINE, April 18.—(AP) Col. George R. Bradley, who set various times and held every office in the State Department, G. A. R. died at his home here tonight after a long illness. He was 78 years old.

ROGERS & CO.

449
APR 27 1927

RECORDED

APR 25, 1927.

MEMORANDUM FOR MR. LUDWIG.

I am transmitting, attached hereto,
copy of communication received from the Agent
in Charge of the Bureau's Boston Office,
together with copy of clippings attached
thereto, relative to the SAOON-VANZETTI CASE.

Very truly yours,

Director.

Enc. 61124.

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#421

HW:DCS
61-126-710

RECORDED

APR 28 1927

APR 27 1927

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MEMORANDUM FOR MR. LORING.

I am transmitting, attached hereto, certain clippings received from the Boston Office of the Bureau, relative to the SACCO-VAZZETTI case.

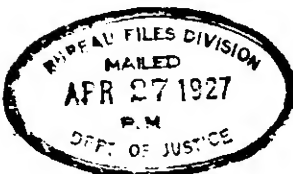
These are for your information.

Very truly yours,

Director.

Enc. 61157.

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DATE 6/30/82 BY SP-8075/mc



#45
Department of Justice

Bureau of Investigation

Box 239, Boston, Mass.

2
April 23, 1927.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Re: SACCO-VANZETTI MATTER

Dear Sir:

In connection with the above named matter I enclose herewith for your information editorials appearing in the Springfield Mass. Union as follows, "Bishop Anderson's Good Advice" appearing in Springfield Union for April 22, 1927, "Our Judiciary System" appearing in the Springfield Union for April 22, 1927, "Retrial by Public Clamor" appearing in the Springfield Union for April 23rd and a news item appearing under Washington date line of April 22, 1927, by W. G. Gavin, Boston, Mass. Traveler, Washington Correspondent, appearing in the Boston, Mass. Traveler for April 22, 1927, concerning a statement said to have been given out through the office of the President of the United States and the Attorney General of the United States.

Very truly yours,

John A. Dowd

JOHN A. DOWD
Special Agent in Charge.

JAD:MFD
Encl. 4

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DATE 6/30/82 BY SP-800/ma

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61-126-758
BUREAU OF INVESTIGATION
APR 25 1927
Div. One
Div. Two
FILE

APR 2

DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

OFFICIAL BUSINESS

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Retrial by Public Clamor

Exception has been taken to our comment upon the Northampton meeting under the auspices of the Progressive Club of that city on the ground that the resolution proposed contained "no attack upon the court or any other institution" and that "what it asked the Governor to do was precisely parallel to the resolutions of the Sons and Daughters of the American Revolution with the exception that, while these organizations hoped that the Governor would approve the sentence, the Progressive Club resolutions hoped the opposite."

We did not say that the Northampton resolutions were a direct attack upon the court or any other institution. We did, however, express a belief that "if there could be a full expression of the public opinion of the State it would be one of loyalty to our institutions, faith in our courts and faith in the righteous exercise of his constitutional powers by the Governor without importunity or intimidation"; and we further expressed the belief that these "drives" against the Governor might make it somewhat difficult for him to exercise clemency without casting suspicion upon his independence of action by seeming to yield to organized public clamor directed at him and against the courts. Dr. George A. Gordon of the Old South Church expressed the same idea in a different way but even more forcibly when he wrote recently, "This appeal to the Governor to try the case by selected citizens means one thing only: a blow at the authority and the superseding of our judicial system." He properly characterized it as not only injudicious but as "impudence."

That is just what it is, whether the resolutions are passed by those who hope that the Governor will do one thing or by those who hope he will do the other. Why, indeed, should Tom, Dick and Harry meet, talk and resolve that the Governor "should do his duty"? It implies either that the Governor will not do his duty or that he cannot do it unless he submits to the views of those who have opposite views of what he should do.

It implies that the Governor is incapable of doing it without being pulled and hauled by partisans in the case here and there. Moreover, resolutions framed for the purpose of driving him to set aside the verdicts of juries and the judgment of courts on both the evidence and the law do not escape the implication of a lack of faith in our judicial system as well as a lack of faith in the Governor.

We have a fresh instance in the petition signed by President Olds and thirty-seven members of the faculty and administration of Amherst College. Expressing serious doubt in the impartiality of the trial, they "earnestly petition the Governor of Massachusetts, Alvan T. Fuller, to take such steps as are possible toward examining the entire case and seeing that justice is done." In other words, they do not think justice can be done unless the Governor accepts their view that the trial was not impartial and that the Supreme Court of the State after a full examination unanimously sustained a partial and unjust verdict.

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What is that but an implied attack not only on the jury, and on the trial judge, but on the Supreme Court of the State whose chief justice, by the way, is not only highly esteemed for his character and ability as a jurist but is a loyal son of Amherst and a trustee of the college? Moreover, what is it but an implied assumption that the Governor will not see justice done unless he interferes with the completed process of the courts of the State from the lowest to the highest?

Is the competency of these members of the faculty of Amherst College to define justice in this case or any other higher than that of the courts of the State? Is their competency sufficient to tell the Governor what he must do if justice is done?

Though their motives are beyond question, how much more impressive or authoritative are they in this line of action than the thirty-six ultra Left members of the British Parliament who recently viewed "with horror the violation of justice committed in this case" and demanded "the immediate release of Sacco and Vanzetti" by the Governor? The obvious difference seems to be that Saklatvala and his associates were a little more prompt than some of our college faculties in the expression of their lack of faith in the judicial system of Massachusetts.

This is not the first time in the history of Massachusetts that men have been convicted of murder on circumstantial evidence. It is not the first time in which Governors of the State have been "earnestly petitioned" to set aside the verdict and sentence in cases of men so convicted. It is not the first time a Governor has been clamorously called upon to do his duty when there was no reason to suppose that he would fail to do it or any reason to suppose that others should do it for him.

Whatever Governor Fuller does in this particular case it will not be the first time that a Governor has encountered this public assumption of competency to retry cases that the courts have tried. Moreover, if Governor Fuller in the exercise of his power and duty and after an examination of the case finds no reason to interfere with the courts of the State he will not be the first Governor so to put the courts of the State above public clamor.

Sixteen of the seventeen members of the Delaware Senate have petitioned the Governor to veto a financial measure which passed the Senate by unanimous vote. The Senators declare that when approving it they did not know what the bill was about. Here, apparently, we have a good illustration of how some of our preposterous laws get on the statute books. It

*Springfield, Mass.
Union
April - 23 - 1927*

Boston (Mass) Traveler
April-22-1927

NEW MADEIROS RESPITE ASKED

Thompson Petitions Fuller
in Case of Sacco
Investigation

Continued from First Page

a further respite be granted to him."

SARGENT WOULD OPEN
FILES TO GOV. FULLER

By W. G. GAVIN

(Traveler Washington Correspondent)

WASHINGTON, April 22—Whatever the department of justice may have in its secret files concerning the Sacco-Vanzetti case will probably remain there unless Gov. Fuller should request the material on the theory that it might help him and his council in deciding whether to commute the death sentence imposed on the defendants. Atty.-Gen. Sargent would probably agree to any official request from the Governor for an examination of this material.

RAILROADING DENIED

Friends of the condemned men have long argued that the department had some reports which would in some manner tend to establish their innocence, either by disclosing attempts of federal agents to hasten their conviction or by throwing discredit on witnesses against them. It has also been charged that the department is bottling up many messages sent there on behalf of Sacco and Vanzetti.

All officials concerned deny that the department has in its files anything at all which would indicate Sacco and Vanzetti are innocent or were "railroaded" with the aid of federal agents. It is not conceivable, so say those who know him, that Atty.-Gen. Sargent would sit idly by and let two men go to their deaths if he had any evidence to prove their innocence, regardless of their radicalism.

Purely State Matter

The chances are that the department has files on Sacco and Vanzetti and some of their radical associates. The department had many agents investigating radical activities during and since the war and a huge amount of documentary material was assembled.

But while friends of Sacco and Vanzetti think the department may have something to help them, it is also true, though not so well known, that pressure is being put upon the department for an examination of what files there may be by persons who are unconvinced of the innocence of the two men and who think the records would support their view of the case. Officials insist to both factions, however, that the department has nothing pertinent to the question at issue.

Federal officials, from President Coolidge down the line, take the position that this is a matter for the state of Massachusetts to decide, and that the federal government, being obviously without official authority to intervene in any way, should keep away from it unofficially. Consequently messages from responsible persons making argument for or against the men are being referred by the White House and state department to Gov. Fuller for his information. The same procedure will be followed by the department of justice except in the case of form letters or postcards which will not be sent to Gov. Fuller, unless he requests them.

Since the case originated, the department has received 393 communications about it and these include 218 postcards from Holland.

WITNESS INSISTS SACCO, VANZETTI GUILTLSS

An eye-witness of the Sacco-Vanzetti crime today wrote Gov. Fuller, insisting that Sacco and Vanzetti were not the men whom he saw in the bandit car on the day of the crime. The witness is Frank J. Burke of 555 West One Hundred and seventy-third street, New York.

His letter was included in 57 which reached the State House before noon. Twelve telegrams were also received. Burke said that he testified at the original trial six years ago in Dedham.

Other letters asking for at least an investigation were received from the Rev. E. Tallmadge Root, executive secretary of the Massachusetts Federation of Churches, and from John P. Whitman, associate secretary of the Greater Boston Federation of Churches.

A direct attack on Judge Webster Thayer who presided at the trial was contained in a letter to Gov. Fuller from Prof. James P. Richardson of the Dartmouth departments of law and political science.

Prof. Richardson said that Judge Thayer regarded the two men "with a feeling which can only be described as abhorrence."

The Sacco-Vanzetti defense committee is still planning to hold a meeting of protest on Sunday night, but they have not yet announced where they will hold it. Ford hall was refused them, on the ground that the meeting was called to bring pressure to bear on the Governor.

The Springfield Union

*The Most Widely Read Newspaper in Western
New England.*

Established January 4, 1864

Entered at the Postoffice, Springfield, Mass., as
Second Class Mail Matter.

FRIDAY, APRIL 22, 1927

THE UNION issues morning and evening editions, each intended to fulfil the functions of a complete and satisfying newspaper.

SUBSCRIPTION RATES: Morning or evening edition, \$6 a year, 50 cents a month.

TELEPHONE RIVER 3200.

MEMBER OF THE ASSOCIATED PRESS.

The Associated Press is exclusively entitled to the use for republication of all news dispatches credited to it or not otherwise credited in this paper and also the local news published herein.

The Union cannot undertake to return manuscripts sent it for publication unless they are accompanied by postage. No attention paid to anonymous contributions.

Bishop Anderson's Good Advice

In his address at the annual sessions of the Southern New England Methodist Conference in New Bedford, Bishop Anderson is reported as saying that his heart has been burdened for the Governor of the State because of the Sacco-Vanzetti case, that no man ought to be expected to bear the burden alone in such a situation and he added, "I believe that every one of us ought to pray for Gov. Fuller at this trying time."

That's all right. That's good advice. Even if it did not noticeably help Gov. Fuller in his trying situation, it would do some good to those who prayed for prayer always does that, provided it is not prayer to be seen of men. If Bishop Anderson's advice is taken by the conference and by Methodists generally and by other people as well, it will be vastly more helpful to the Governor and his Council than packing meetings to pass resolutions condemning the judicial system of Massachusetts and trying to intimidate responsible authority in the performance of a serious duty.

Incidentally we are sure it would do certain members of the Harvard and Smith College faculties a lot of good if they privately took their youthful emotions to the Almighty. It is just possible they have gotten out of the habit of prayer. But if they and others cannot restrain themselves from bombarding the Governor with resolutions and propaganda, at least the members of churches should be able to turn more easily to prayer, as Bishop Anderson urges. It would be vastly better than blaming the Government for its foreign policy and denouncing the Massachusetts courts.

Dr. George A. Gordon of the Old South Church indirectly gives a good reason for a prayer policy in a letter to the Boston Herald in which he says:

It is with grief that I see that Bishop Lawrence heads an appeal for a review of the case of Sacco and Vanzetti. Gentlemen rule is no better than mob rule. The judicial system of Massachusetts is in the hands of experts in law and in the valuation of evidence. This appeal to the Governor to try the case by selected citizens means one thing only: a blow at the authority and the superseding of our judi-

9/1/27
THE SPI

and McAdoo it might be two other Democrats. Indications are that the fight which impends for the next Democratic convention will have to be fought out. Fortunately the country will survive, even flourish, if the quarrel contributes to another Democratic defeat in 1928.

Our Judicial System

One of the incidental conclusions jumped at by those assuming a miscarriage of justice in the Sacco-Vanzetti case is that the judicial system of Massachusetts is wrong and should be changed to conform to that of New York. Such a conclusion is naturally somewhat astonishing to the natives because hitherto the general tendency has been to take particular pride in our judicial system and occasionally to comment adversely upon that of New York and especially upon that feature of it which provides for election for specified terms rather than appointment of judges to serve during good behavior or until they resign.

With rather good reason our system has been held to be less susceptible to political influences and conditions. For it has been claimed a better personnel and surer impartiality of judgment. Certainly suspicion has never been cast on the character or motives of the judicial personnel of the State. In the last 50 years no State in the Union has provided so many justices for the Supreme Court of the United States, notwithstanding the fact that geographical considerations operate to a large extent in their choice.

But the present criticism of our judicial system is not based on appointive methods but upon the allegation that the method is wrong because the Supreme Court is not permitted under the law to review and pass upon the facts or the evidence in the case of appeals from the lower court's denial of a new trial. It should be understood that the judicial system of New York is quite different from ours in that the Supreme Court in New York is not a Supreme Court as in Massachusetts but is really an inferior court as is our Superior Court. The high court in New York is the Court of Appeals, which in the nature of the general system takes into account other than legal aspects of the cases appealed.

The New York Court of Appeals may in the case of murder in the first degree order a new trial if it is satisfied that the verdict is against the weight of evidence or that justice requires a new trial. It is claimed, therefore, that our judicial system should be so changed that the State Supreme Court can do what the New York Court of Appeals can do in murder cases; in other words, that the Supreme Court's action should not be confined to passing upon the legal or other phases of the action of the Superior Court judges in denial of new trials.

We do not recall that this criticism has ever before been seriously urged. As a matter of fact, it is not quite true that the Supreme Court is debarred entirely from considering the facts in a case appealed to it. It has to take certain facts into consideration to decide whether the trial judge could conscientiously, intelligently and honestly reach the conclusion that he did reach from the evidence. Any flaw in the rulings or in the behavior of the trial judge would come under the consideration of the justices of the Supreme Court.

However, even were it strictly true that our Supreme Court can only pass upon the purely legal aspects of cases appealed to it, it does not follow that the judicial system of the State is without the equivalent of the power of the New York Court of Appeals to review the facts in a criminal case. When the Court of Appeals of New York has passed on a murder case, that is virtually the end of it. The Governor of New York has not the power of the Governor of Massachusetts. The former is not to review evidence and his intervention in any case after it has been passed upon by the Court of Appeals is not regarded as proper unless the law seems to impose too severe a penalty.

While under our judicial system the Supreme Court cannot do what the New York Court of Appeals can, the Governor as a court of last resort can, without any reflection upon the judicial system, do what the Governor of New York could not properly do without questioning the verdict of a high court which has passed on the facts. There is small reason to believe that the cause of justice is on the whole better served by the New York system than by our own.

A graduate student of psychology at the University of Chicago declares that the American sense of humor is growing cruder. It is somewhat easier to believe than it would have been before the election of Big Bill Thompson.

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yH
RECORDED

MEMORANDUM FOR MR. LUDWIG.

61-126
I am transmitting, attached hereto,
copy of clippings from the Springfield,
Massachusetts Union, issue of April 15, 1927,
regarding the SAOCO-VANZETTI case.

Very truly yours,

Director.

Enc. 61115.

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DATE 6/30/82 BY SP-8 BTJ/mc



Department of Justice

Bureau of Investigation

P.O.Box 239
Boston, Mass.

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RECEIVED
APR 19 1927
U.S. DEPT. OF JUSTICE

Confidential:

April, 19, 1927.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D.C.

Dear sir:

Re: Sacco-Vanzetti Matter

Attached hereto you will find pages taken from the Springfield, Mass., Union, issue of Apr. 15, 1927 which are numbered 1 and 8 as well as pages taken from the Boston, Mass., Post, issue of Apr. 19, 1927 which are numbered 1 and 9 and in effect are news items concerning sentiment expressed in the interest of the above named individuals.

Very truly yours,

John A. Dowd
JOHN A. DOWD

Special Agent in Charge

Jad.

RECORDED

DECLASSIFIED BY SP-80TJ/MG
ON 6/30/PC

Mr. L...

61-126-259	
BUREAU OF INVESTIGATION	
APR 25 1927 A. M.	
U.S. DEPT. OF JUSTICE	
Div. One	FILE

C. L. U. ASKS FOR ACTION BY FULLER

Would Have Commission Review Sacco Case—Bishop Lawrence Claimed by Defence

At a meeting of the Boston Central Labor Union yesterday delegates voted to adopt a resolution calling upon Governor Fuller to ~~ask the~~ ~~death sentences of Sacco and Vanzetti~~ and to appoint a commission to review the evidence in the cases of the two men.

FROWN ON DRASTIC STEPS

Efforts to have more drastic action taken by the body, stressing a demonstration of protest similar to that held in New York, were defeated after delegates pointed out that the resolution adopted was in full accord with the plans of Sacco-Vanzetti defence committee.

One delegate pointed out that more harm than good was done by over zealous friends of the Sacco-Vanzetti cause and added that labor was interested in saving the men from execution and bringing them back to society, if innocent, as he believed; and if not, to let the law take its course.

Will Ask for Faneuil Hall

Mayor Nichols may be brought into the Sacco-Vanzetti case today or to-

morrow when a petition will be presented at City Hall asking the use of Faneuil Hall for the purpose of holding a meeting of Sacco-Vanzetti sympathizers. City officials refused the use of this hall to the committee that were trying to save the car barn bandits, and the use of the Parkman bandstand on the Common was also refused. Mrs. Glendower Evans will seek the permit for Faneuil Hall for the proposed public meeting.

Defence forces claimed the support of Bishop William Lawrence of the Episcopal Church yesterday as one of the "High Minds" who have petitioned Governor Fuller in behalf of almsmen for Sacco and Vanzetti. Bishop Lawrence last night refused to affirm or deny the claim that he has requested Governor Fuller to act in the case.

The defence workers will endeavor to have a resolution passed at the national convention of the Workers' Educational Bureau, which will be held in this city the latter part of this week. Among labor leaders who will attend this convention are Matthew Woll, president of the International Photo-Engravers' Union of North America, and James Maurer, president Pennsylvania State branch A. F. of L.

Speaking at Ford Hall forum last night the Rev. Sherwood Eddy, international Y. M. C. A. worker, expressed his desire to see the Governor intervene.

Pullman Porters Join

Sacco-Vanzetti Strike

NEW YORK, April 17 (AP)—The New York Herald-Tribune says that Pullman porters joined the ranks of workers who plan to strike for one hour on June 15 in protest against the execution of Sacco and Vanzetti in Massachusetts, as a result of a meeting of the officials of the Brotherhood of Sleeping Car Porters in Harlem today.

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DATE 6/30/82 BY SP809

SAWYER FLAYS JUDGE THAYER FOR RACE VIEW

Makes Impassioned Plea as House Spurns His Resolve for Probe

HAYS, DEFENDING ACT, ATTACKS WARE MAN

Calls Clergyman Former Socialist Masquerading as Democrat; Reading's Ruling Cited.

PROTEST FROM PARIS

Noted French Writers Bitter; Senator Walsh Denies Receiving Appeals.

By EUGENE W. MASON.

BOSTON, April 14—Rep. Roland B. Sawyer's attempt to obtain legislative action his resolve for creation of a special commission to review the Sacco and Vanzetti case with the intent of determining whether there should be a new trial, failed utterly today in the House of Representatives, which by a vote of 146 to 10 refused to suspend the rule to admit the measure for late action.

Rep. Sawyer made an impassioned appeal in which he attacked Judge Webster Thayer by declaring the judge had conducted the trial of Sacco and Vanzetti in a prejudiced manner, and expressed the belief there are men somewhere in this state government who are big enough, wise enough, brave enough to study this awful mistake, this saddest of government acts, the killing of two men for a crime which honest study believes they did not commit.

Hays Attacks Sawyer.

In defense of the report of the Rules Committee, against suspending the rule to admit the resolve, Rep. Martin Hays of Boston took the floor. Pointing to the ruling of Atty. Gen. Arthur K. Reading, that constitutional authority in this case rested with the Governor, not with the legislature, Hays said he was "chickens" about the "fool." He recalled that the

At the time since Mr. Sawyer had expressed his resolve for the creation of such a commission, to demand of the chief justices of the Supreme Court and four others to be appointed by the Governor, had there been the slightest indication that it would be even admitted for further consideration by the House.

But the House leaders proceeded with deliberation. After the resolve was introduced and referred under the rule to the Committee on Rules, to pass on the question of admitting it, Speaker John C. Hull asked the Attorney General for an opinion on the constitutional phases of the proposition.

Hearing Also Refused.

With that opinion in hand, the Rules Committee late yesterday denied a request of Rep. Sawyer that it give him a public hearing on the subject and voted to report against suspending the rule, which report was received in the House this afternoon. Under suspension of a rule whereby a report lies over for one day before being acted upon, moved by Rep. Hays, the House proceeded forthwith to act on the question of admitting the resolve. To suspend the rule in such cases requires a two thirds majority.

Rep. Sawyer then spoke to question of suspending the rule. Rep. Hays answered him, the House then voted, and a pitiful six votes were for rules suspension, five others besides Sawyer's who were Reps. Louis R. Sullivan of Boston, C. F. Nelson Pratt of Saugus, Charles A. Kelley of Worcester, Tony A. Garofano of Saugus and Leo M. Birmingham of Boston.

Rep. Sawyer in his argument for suspending the rule said, in part:

"Sacco and Vanzetti are poor misguided men whose outlook on life is badly warped, and their views have brought to themselves and their families much suffering. Perhaps they merit a certain sympathy, but sympathy for them is not my motive in urging legislative investigation of the State's proceedings against them. My motive is to safeguard the old State of Massachusetts from dishonor and to fight for the Massachusetts standards of justice. True we hanged witches, a matter we would like to forget, but I think I am within the truth when I say that since we have had constitutional government, never in this State has a man on trial for his life, been denied full justice because of his social or religious theories, or because of his race.

Eager for Conviction.

"If these men go to the chair this statement can never again be made by any man. If lawyers like Katzmann, more eager for a conviction of a victim than for justice can conduct a case like this unchallenged. If a man like Webster Thayer can send a man to the chair for whose race or views he has a violent dislike—then who can be safe?

"Doubts of the innocence of these men are widespread. I have talked with five newspapermen who reported the trial and they tell me in each case they believed the men innocent.

"This case is extraordinary. It is no unusual murder case. The one consolidating thing about it is, it is part of the war; but for the inflamed passions of the people, and the advice and consent of the Council. Are we going to follow the leadership

The three main points of the case were the evidence which confirmed the mortal bullet, the testimony in regard to identification, and the question of 'common sense.'

Two of these points testified that the bullet did not come from Sacco's pistol; Capt. Praxter of the State Police made affidavit that he was sure it did not; a New York expert was so sure it did not that his study was made the basis of a plea for a new trial.

Witnesses Tangled.

"In the matter of identification of the men at the scene of the crime—only one man testified against Vanzetti and 11 witnesses from Plymouth testified to his alibi as being in Boston.

"And the records show how the State's witnesses are tangled in cross-examination; witnesses who at the preliminary hearing a few weeks after the crime could not identify Sacco and Vanzetti were strangely able months later to pick them out.

"In the matter of conscious guilt—these men were anarchists, their names were on the Federal list for deportation, they were hunted, they were carrying pistols—this is true; these men were not good citizens, they were undesirable, but they were indicted for being bandits, not for being anarchists and on that indictment they should have been tried and that alone.

"The raids on the 'reds' whereby A. Mitchell Palmer hoped to ride into the White House were apparently the reason why these men acted like hunted men, why they were armed, why they lied rather than their knowledge of their guilt of robbery and murder.

Case "Is a Tragedy."

"The case is a tragedy. Federal government records have been denied men seeking the truth because of Federal shame of the Mitchell Palmer acts. The fine case built up by Atty. Thompson on the Madeline confession, a case which reveals the Morelli gang as the real men who did the job, all this as a plea for a new trial was denied by Judge Thayer.

"The Supreme Court has reviewed the case to be sure, but all their review amounted to was practically to say that Judge Thayer was honest. Of course he is honest. No man doubts that. So is Sacco honest. So is Vanzetti honest.

"Honest but misguided men always make a lot of trouble for society. An honest, sincere but prejudiced judge on one side and honest and stupid fanatics on the other, have brought us to a situation where the most careful consideration, the sanest study, and the most fearless action is demanded, if Massachusetts is to be spared lasting disgrace."

Admits Honor Is at Stake.

Rep. Hays in reply said he agreed with Rep. Sawyer that the honor of Massachusetts was at stake. He would go farther and say the honor of the General Court was at stake. "We are asked here," he declared, "to throw the courts of the Commonwealth into the discard, to insult the Governor and the courts, to usurp the constitutional prerogatives of both. We will tell the people of Massachusetts that here today the constitution is recognized, that it is paramount."

"We are not trying Sacco and Vanzetti here. After the courts have acted the power to commute or pardon lies solely with the Governor, with the advice and consent of the Council. Are we going to follow the leadership

of the member from Ware, and say that a commission of five men should supersede the courts?"

Senator Walsh Denies Receiving Appeals.

Special to The Springfield Union.

WASHINGTON, April 14—Senator David I. Walsh denied today that he had received any appeals from Massachusetts from those who are interested in the Sacco-Vanzetti case. The senator said that if any appeals have been sent him he would probably receive them within the next few days.

The Department of Justice also denied that it had received any number of appeals relative to Sacco-Vanzetti or that any letters touching on the case had been deposited, unopened, in a vault.

Noted French Writers Sign Manifesto.

PARIS, April 14—(AP) Condemnation of the proceedings against Nicola Sacco and Bartolomeo Vanzetti and a plea for their early execution or release is voiced in a manifesto signed by 26 noted French writers and given to the newspapers. The list of signatures is headed by that of the Countess De Noailles, poet and a particularly distinguished figure in French letters. Other names appearing include those of Maurice Donnay of the French Academy, Pierre Benoit, J. H. Roany, Romain Rolland, Leon Frapiere, Maurice Rostand (son of the author of "Cyrano de Bergerac"), Victor Marguerite and Henri Barbusse.

The manifesto concludes: "We share with the condemned men the hope that their fate will be decided for either death, which would make them martyrs, or liberty."

The declaration says there were 105 witnesses for the defense while the prosecution had only two. It also asserts that such a delay as the six year interval of the trial never has occurred in any country.

Barnard College Makes Plea.

BOSTON, April 14—(AP) Among the many letters received by Gov. Alvan T. Fuller today dealing with the death sentence of Nicola Sacco and Bartolomeo Vanzetti was one from Elmer H. Fletcher, a Brockton lawyer, containing matter which the

writer, says has never before been publicly revealed.

Mr. Fletcher, a lifelong friend of Frederick A. Parmenter, one of the two victims of the murders of which Sacco and Vanzetti were convicted, tells how Parmenter's widow struggled to support her two children and finally died of cancer. He also tells of her boy at the age of 14 joining another boy in petty thefts from buildings, being put on probation and keeping out of trouble ever since.

Among the communications received today was one from the young women students of Barnard College. Mary Dublin, secretary of the representative assembly of the undergraduate association, transmitted the following resolution adopted by the Assembly.

"Whereas, the Supreme Court of Massachusetts has found the Sacco-Vanzetti trial to be in proper form and sustained the form of the verdict without review of the testimony, and

"Whereas, Judge Thayer, who not only tried the case the first time, but has been adequately proved prejudiced by affidavits sworn to by five prominent citizens of Boston, was the only judge to examine the evidence, and,

"Whereas, the court records do not contain all that should be known about the case,

"Resolved, that we, the members of representative assembly of Barnard College, do urge the appointment of a committee of impartial citizens to investigate the case."

Harvard Law Students Urge Clemency.

BOSTON, April 14—(AP) A petition from 205 members of the graduating class of Harvard Law School asking executive clemency for Nicola Sacco and Bartolomeo Vanzetti, convicted murderers sentenced to electrocution, was received tonight by the defense committee that has been working in the interests of the condemned men for six years.

An announcement by the committee said that the petition would be presented to Gov. Alvan T. Fuller tomorrow. The faculty of the law school, either individually or collectively, it was stated, assumed no responsibility for the petition.

During the day an effort to introduce a petition in the State House of Representatives that sought to have a committee appointed to investigate the case, was defeated by a vote of 146 to 6. The Governor continued to receive many letters and petitions favoring executive clemency and others urging him to abide by the decision of the Supreme Court.

DEPARTMENT OF JUSTICE
BUREAU OF INVESTIGATION
Boston, Mass.

April 19, 1937.

~~PERSONAL AND CONFIDENTIAL~~

DECLASSIFIED BY SP-1001/105
ON 6/20/92

My Dear Mr. [Name]:

First is the knowledge of your identification of the 10th instant, replying to my letter of the 10th instant, relating to the so-called Sacco-Vanzetti case.

My informant who supplied the information contained in my letter of the 4th, was Mr. John E. Burdick, whom you will recall as a former Agent and Agent in Charge of this office. Mr. Burdick, you will possibly remember came into the Bureau as an employee sometime in 1927, was for a time in 1928 an assistant division superintendent under Division Superintendent George E. Hollister, and in the summer or early fall of 1929 when Mr. Hollister was in Alaska and a change was made in the territorial lines of the office - and Burdick was placed under the New York City division - was made Agent in Charge of Boston, which position he held until relieved by Mr. Charles Egan, on or about October 1, 1931.

Mr. Burdick is now employed by, I believe, the Employers' Liability Insurance Company at Boston. On one or two prior occasions he reported that he had been interviewed by William G. Thompson, advised Mr. Egan and Vanzetti, but had not furnished any affidavit. Upon the last occasion he advised that his present employer, who is acquainted with Mr. Thompson, advised him to see Mr. Thompson again, with the results reported in my letter to you.

With reference to the amended affidavit of Mr. Lawrence Lethman, I believe I can state without contradiction that such amendment was not made up to the time of the hearing of the motion for a new trial before Justice Webster Thayer of the Superior Court of Suffolk County. As all of these papers then went to the Supreme Court of the State as excepted, I assume that the amended affidavit was not amongst them, as the unamended affidavit was the one which was featured, and I assume that later when Mr. Thompson found out that Mr. Lethman's statement did not coincide with records of his Governmental service he took steps to amend the affidavit. However, I shall make inquiry concerning the amended affidavit in order to secure the exact facts with reference to the same.

Turning to that part of the statement relating to Mr. Lethman obtaining information relative to the Sacco-Vanzetti case when he was attached to the William J. Burns International Detective Agency, I invite your attention to the fact that our files indicate that in investigation of the activities of the Sacco-Vanzetti Defense Committee did not commence until at least late in the summer of 1930 or early in the fall of that year; while a view of the investigation of the application of Mr. Lethman for appointment as an Agent of this Bureau (see report of Agent [Name] for Sept. 23, 1931, in re Lawrence Lethman) appears to indicate that after his resignation from the Post Office Inspection Service he went with the W. J. Burns Detective Agency and was employed by that agency for four years as manager at Boston; that

61-126754 L. W. F.

since leaving the Burns Agency having been connected with Otis & Co., Boston, in the building business". The same report contains a statement from Mr. Gordon Sawyer, of Otis & Co., 63 Milk Street, Boston, to the effect that Mr. Lohmann had been employed by them for about a year.

b7d I have caused a search to be made of the voluminous files relating to this case and the only reference found therein to [redacted] that contained in the two following letters:

(a) Letter dated December 7, 1920, from T. M. Roddy, Special Agent in Charge, New York City office, to J. B. Harrahan, Boston office, reading:-

"Information has been received to the effect that Sacco and Vanzetti are communicating with their Attorney through [redacted]

b7c
b7d "My informant in this case, [redacted]

[redacted] states that he is of the belief that the room occupied is directly over an office occupied by this Bureau.

[redacted] advised that he had received information to the effect that the top floor of 274 Harrison Avenue, Boston, is used as a storage place for radical literature and that the usual procedure is for a person desiring to secure this literature, to go to these rooms, which he can enter by using the key which is to be found over the door.

"This information is sent to you for such action as is deemed warranted."

(b) Letter dated December 14, 1920, from J. B. Harrahan, Special Agent in Charge, Boston, Mass., to T. M. Roddy, Special Agent in Charge, New York, N.Y., reading:-

"Acknowledgment is hereby made of the receipt of your letter of the 7th instant, containing information to the effect that the anarchists Sacco and Vanzetti are communicating with their counsel through [redacted]

b7c [redacted] in which building is located the office of the Special Agent in Charge, and also advising relative to the meeting place of the I.W.O. at 274 Harrison Avenue, this city.

b7c
b7d "You are respectfully advised that some days ago [redacted] in this city, came to the office with envelopes he had collected from the waste baskets in the office of Frederick M. Moore, attorney for Sacco and Vanzetti, at 15 Front Row, Boston, among which was the one above referred to from [redacted] In report of Agent West for December 24, (1920), pages 6 and 7 thereof, reference

Condoni, an alleged radical active on behalf of Sacco and Vanzetti and not really Mr. Thompson gave some credence to the statement of Mr. Vignani in reference to that situation.

As to your paragraph concerning former Agent [redacted] there is, of course, no pertinency, to the present case as he had severed his connection with the office some years before, but, of course, you will realize that it seems there always exists some feeling on the part of those out of the service against employees who remain, even though those remaining had nothing whatever to do with the separation from the service of former employees. In this case, however, the matter is an inconsequential one and, as you state, of no pertinency. Its indication is merely the fact that Mr. Thompson, as counsel for Sacco and Vanzetti, has merely adopted the trend of thought of former counsel, Moore, and members of the Defense Committee as far back as 1930, when they ever then were shocked with the idea that because of the activities of Sacco and Vanzetti on behalf of Elia and Salcedo, if there were any such activities, they were followed by the members of the Bureau and their arrests instigated, and, in following this line of reasoning, Mr. Thompson has apparently sought out every former employee of the office here in the hope that he would learn something that would afford a peg for his contentions.

As to the concluding paragraph of your letter, I agree with you that the statement of Mr. Thompson as to your citizenship in Florida, if the same were reported accurately, was indeed amusing and I realized that you would accept it in the manner in which it was given. It seemed too highly amusing to allow it to pass unnoticed, and, as you state, appears nearly as accurate as some other statements made.

Very truly yours,
(s) John A. Dowd,
Special Agent in Charge

J.E. Hoover, Esq.,
Director, Bureau of Investigation,
U. S. Department of Justice,
Washington, D. C.

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION

FOIPA DELETED PAGE INFORMATION SHEET

4 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☒ Deleted under exemption(s) b6 with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

_____ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

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☐ For your information: _____

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MAY 4 1927

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May 8, 1927.

RECORDED

MEMORANDUM FOR MR. LORING.

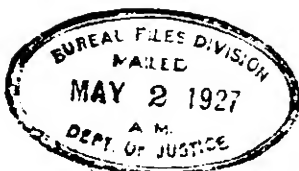
I am transmitting, attached hereto, copies of certain clippings received from the Boston Office of the Bureau, relative to the SACCO-VANZETTI case.

These are for your information.

Very truly yours,

Director.

Encl. #61293.



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HEREIN IS UNCLASSIFIED
DATE 6/30/82 BY SA8875/mh

Department of Justice

Bureau of Investigation

P. O. Box 239,
423 Federal Building, Boston, Mass.

April 25, 1927.

Handwritten: #12

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

~~PERSONAL and CONFIDENTIAL.~~

Dear Sir:

In re: SACCO - VANZETTI MATTER

Adverting further to the above entitled matter, and in particular to news items appearing in the press of this State concerning same, you will find enclosed herewith copy of the Boston Evening Transcript, Boston, Mass. dated April 25, 1927.

On pages 1 and 10 you will find an article by John H. Wigmore, entitled: "J. H. Wigmore Answers Frankfurter Attack on Sacco-Vanzetti Verdict."

As you no doubt know John H. Wigmore is one of the leading legal authorities of this country and is the author of several authoritative works on the subject of evidence.

Yours very truly,

DECLASSIFIED BY SP-805/mt
ON 6/30/82

Handwritten signature of John A. Dowd

JOHN A. DOWD,
Special Agent in Charge.

JAD:JMC
Enc.

Handwritten: 5/3/27
Handwritten: Kn

MAY - 4 1927 ~~RECORDED~~

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BUREAU OF INVESTIGATION	
MAY 8 1927	
Div. One	Div. Two

J. H. Wigmore Answers Frankfurter Attack on Sacco-Vanzetti Verdict

**A Fair Trial—Facts as Well as Law
Reviewed by Supreme Court**

The Accepted Authority on Legal Evidence Finds the
Harvard Professor's Article Full of Misrepresentations and
a Gross Libel Against Honor of Massachusetts Courts—and
Defense of the Conduct of Jury, Judge and Prosecution

By John H. Wigmore

John H. Wigmore is one of the leading legal authorities of this country. Since 1893 he has been professor of law at Northwestern University and since 1904 has been dean of the law school at that institution. He was graduated from Harvard in 1883 and from the Law School in 1887. After practicing in Boston for two years, he became professor of Anglo-American law at Keio University in Tokio, Japan. He is the author of many articles and books dealing with intricate legal problems and in 1909 was president of the American Institute of Criminal Law and Criminology. During the war he served on the staff of the Judge Advocate General of the United States Army with the rank of major and was awarded the Distinguished Service Medal for his services. He has been decorated by the governments of Japan and France and has received honorary degrees from the University of Wisconsin and Harvard.

61-126-760

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DATE 6/30/82 BY SP-8 BTJ/STH

Cont. on next page.

Well, these are three important mis-
representations in the plausible pundit's
"reasonable resume" as to the trial in gen-

being presented to the court. The court, in rendering the decision, stated: "The court says that the principle which governs the case is that Section 1 of the Criminal Code, which reads: 'Whoever commits an offence against the person or property of another shall be deemed to have committed the same in relation to the public as well as to the person or property of another.'"

The court then stated: "The court is not of the opinion that the court should not hold in the Supreme Court. The court should not hold whether the fact is set forth in the printed version of the case. The court should have held the same of judicial review and the same should be the New York Court of Appeals. In Massachusetts, where the court is located, the court of the trial judge, only so-called questions are set out."

This accounting of the Supreme Court's opinion might well impress the lay public to whom it was addressed. But the lawyer examining the opinion would discover the complete falsity of its assertions.

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(a) In the first place, the gist of the plausible pundit's article is that the case was made "a riot of political reading" by the district attorney's cross-examination of the attorney, "sponsored" by Judge. Now on this main point the Supreme Court did explicitly and directly disagree with the article. They say "The argument is presented that the purpose of the district attorney's questions was to excite and intensify prejudice against him. But we must follow the record, and a careful reading of it does not sustain this contention."

And in the second place, the plaintiff's position in stating that "the guilt or innocence of the accused was not retried in the Supreme Court" in contrast with the alleged New York method, is obviously shifting the issue that he himself started. He now can claim to know that the accused are innocent of murder; he does not maintain that the outside public knows that and his article does not proceed on that impossible assumption. If charged with the crime the accused did not have a fair trial; their guilt or innocence, and that is the gist of all its charges. But the Supreme Judicial Court of Massachusetts, having listened to all the possible grounds urged by counsel for such a contention, has held that the accused did have a fair trial. So the decision, after all, is a flat square repudiation of the plausible plaintiff's main contention. His article is in effect an appeal from the Supreme Court.

(c) And, thirdly, the Supreme Judicial Court did pass upon the issue of guilt or innocence to the extent that ought to satisfy any citizen that has respect for trial by jury. For among the grounds alleged in the motion for a new trial was this: That the trial judge erred in not directing a verdict of not guilty for lack of sufficient evidence of guilt to go to the jury. And the Supreme Court held that the trial judge committed no error in denying that motion. In other words there was sufficient evidence to go to the jury. Here are the exact words of the opinion [151 N. E. 339, at 346]: "The defendants severally moved for a verdict of not guilty on all the evidence, and their motions having been denied they severally excepted. It is contended on behalf of Vanzetti that his being in the [murderers'] car at all could be found to be merely probable and that his presence therein was not proved beyond a reasonable doubt. [Then the evidence

6.—The plausible pundit, however, was faced with the damaging fact that the Supreme Judicial Court, on May 12, 1928 had already handed down a decision that